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THE WRITINGS

OF

THOMAS PAINE

COLLECTED AND EDITED BY

MONCURE DANIEL CONWAY

AUTHOR OF "THE LIFE OF THOMAS PAINE," "OMITTED CHAPTERS OF HISTORY DISCLOSED IN THE LIFE AND PAPERS OF EDMUND RANDOLPH," "GEORGE WASHINGTON AND MOUNT VERNON," ETC.

VOLUME III.

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CONTENTS.

	PAGE
INTRODUCTION TO THE THIRD VOLUME	v
I.—THE REPUBLICAN PROCLAMATION	1
II.—TO THE AUTHORS OF "LE RÉPUBLICAIN"	4
III.—TO THE ABBÉ SIÈYES	9
IV.—TO THE ATTORNEY GENERAL	11
V.—TO MR. SECRETARY DUNDAS	15
VI.—LETTERS TO ONSLOW CRANLEY	30
VII.—TO THE SHERIFF OF THE COUNTY OF SUSSEX	37
VIII.—TO MR. SECRETARY DUNDAS	41
IX.—LETTER ADDRESSED TO THE ADDRESSERS ON THE LATE PROCLAMATION	45
X.—ADDRESS TO THE PEOPLE OF FRANCE	97
XI.—ANTI-MONARCHAL ESSAY	101
XII.—TO THE ATTORNEY GENERAL, ON THE PROSECUTION AGAINST THE SECOND PART OF RIGHTS OF MAN	110
XIII.—ON THE PROPRIETY OF BRINGING LOUIS XVI. TO TRIAL	114
XIV.—REASONS FOR PRESERVING THE LIFE OF LOUIS CAPET	119
XV.—SHALL LOUIS XVI. HAVE RESPITE?	125
XVI.—DECLARATION OF RIGHTS	128
XVII.—PRIVATE LETTERS TO JEFFERSON	132
XVIII.—LETTERS TO DANTON	135

PAGE

XIX.—A Citizen of America to the Citizens of Europe 140

XX.—Appeal to the Convention 147

XXI.—The Memorial to Monroe 150

XXII.—Letter to George Washington . . . 213

XXIII.—Observations 253

XXIV.—Dissertation on First Principles of Government 256

XXV.—The Constitution of 1795 278

XXVI.—The Decline and Fall of the English System of Finance 286

XXVII.—Forgetfulness 313

XXVIII.—Agrarian Justice 322

XXIX.—The Eighteenth Fructidor . . . 345

XXX.—The Recall of Monroe 368

XXXI.—Private Letter to President Jefferson 371

XXXII.—Proposal that Louisiana be Purchased . 379

XXXIII.—Thomas Paine to the Citizens of the United States 381

XXXIV.—To the French Inhabitants of Louisiana 430

INTRODUCTION TO THE THIRD VOLUME.

WITH HISTORICAL NOTES AND DOCUMENTS.

In a letter of Lafayette to Washington ("Paris, 12 Jan., 1790") he writes: "*Common Sense* is writing for you a brochure where you will see a part of my adventures." It thus appears that the narrative embodied in the reply to Burke ("Rights of Man," Part I.), dedicated to Washington, was begun with Lafayette's collaboration fourteen months before its publication (March 13, 1791).

In another letter of Lafayette to Washington (March 17, 1790) he writes:

"To Mr. Paine, who leaves for London, I entrust the care of sending you my news. . . . Permit me, my dear General, to offer you a picture representing the Bastille as it was some days after I gave the order for its demolition. I also pay you the homage of sending you the principal Key of that fortress of despotism. It is a tribute I owe as a son to my adoptive father, as aide-de-camp to my General, as a missionary of liberty to his Patriarch."

The Key was entrusted to Paine, and by him to J. Rutledge, Jr., who sailed from London in May. I have found in the manuscript despatches of Louis Otto, Chargé d'Affaires, several amusing paragraphs, addressed to his government at Paris, about this Key.

"August 4, 1790. In attending yesterday the public audience of the President, I was surprised by a question from the Chief Magistrate, 'whether I would like to see the Key of the Bastille?' One of his secretaries showed me at the same moment a large Key, which had been sent to the President by desire of the Marquis de la Fayette. I dissembled my surprise in observing to the President that 'the time had not yet come in America to do iron-

work equal to that before him.' The Americans present looked at the key with indifference, and as if wondering why it had been sent. But the serene face of the President showed that he regarded it as an homage from the French nation." "December 13, 1790. The Key of the Bastille, regularly shown at the President's audiences, is now also on exhibition in Mrs. Washington's *salon*, where it satisfies the curiosity of the Philadelphians. I am persuaded, Monseigneur, that it is only their vanity that finds pleasure in the exhibition of this trophy, but Frenchmen here are not the less piqued, and many will not enter the President's house on this account."

In sending the Key Paine, who saw farther than these distant Frenchmen, wrote to Washington: "That the principles of America opened the Bastille is not to be doubted, and therefore the Key comes to the right place."

Early in May, 1791 (the exact date is not given), Lafayette writes Washington: "I send you the rather indifferent translation of Mr. Paine as a kind of preservative and to keep me near you." This was a hasty translation of "Rights of Man," Part I., by F. Soules, presently superseded by that of Lanthenas.

The first convert of Paine to pure republicanism in France was Achille Duchâtelet, son of the Duke, and grandson of the authoress,—the friend of Voltaire. It was he and Paine who, after the flight of Louis XVI., placarded Paris with the Proclamation of a Republic, given as the first chapter of this volume. An account of this incident is here quoted from Étienne Dumont's "Recollections of Mirabeau":

"The celebrated Paine was at this time in Paris, and intimate in Condorcet's family. Thinking that he had effected the American Revolution, he fancied himself called upon to bring about one in France. Duchâtelet called on me, and after a little preface placed in my hand an English manuscript—a Proclamation to the French People. It was nothing less than an anti-royalist Manifesto, and summoned the nation to seize the opportunity and establish a Republic. Paine was its author. Duchâtelet had adopted and was resolved to sign, placard the walls of Paris with it, and take the consequences. He had come to request me to

translate and develop it. I began discussing the strange proposal, and pointed out the danger of raising a republican standard without concurrence of the National Assembly, and nothing being as yet known of the king's intentions, resources, alliances, and possibilities of support by the army, and in the provinces. I asked if he had consulted any of the most influential leaders,—Sièyes, Lafayette, etc. He had not : he and Paine had acted alone. An American and an impulsive nobleman had put themselves forward to change the whole governmental system of France. Resisting his entreaties, I refused to translate the Proclamation. Next day the republican Proclamation appeared on the walls in every part of Paris, and was denounced to the Assembly. The idea of a Republic had previously presented itself to no one : this first intimation filled with consternation the Right and the moderates of the Left. Malouet, Cazales, and others proposed prosecution of the author, but Chapelier, and a numerous party, fearing to add fuel to the fire instead of extinguishing it, prevented this. But some of the seed sown by the audacious hand of Paine were now budding in leading minds."

A Republican Club was formed in July, consisting of five members, the others who joined themselves to Paine and Duchâtelet being Condorcet, and probably Lanthenas (translator of Paine's works), and Nicolas de Bonneville. They advanced so far as to print "Le Républicain," of which, however, only one number ever appeared. From it is taken the second piece in this volume.

Early in the year 1792 Paine lodged in the house and book-shop of Thomas "Clio" Rickman, now as then 7 Upper Marylebone Street. Among his friends was the mystical artist and poet, William Blake. Paine had become to him a transcendental type ; he is one of the Seven who appear in Blake's "Prophecy" concerning America (1793):

"The Guardian Prince of Albion burns in his nightly tent.
Sullen fires across the Atlantic glow to America's shore ;
Piercing the souls of warlike men, who rise in silent night :—
Washington, Franklin, Paine, and Warren, Gates, Hancock, and Greene,
Meet on the coast glowing with blood from Albion's fiery Prince."

The Seven are wrapt in the flames of their enthusiasm. Albion's Prince sends to America his thirteen Angels, who, however, there become Governors of the thirteen States. It is difficult to discover from Blake's mystical visions how much political radicalism was in him, but he certainly saved Paine from the scaffold by forewarning him (September 13, 1792) that an order had been issued for his arrest. Without repeating the story told in Gilchrist's "Life of Blake," and in my "Life of Paine," I may add here my belief that Paine also appears in one of Blake's pictures. The picture is in the National Gallery (London), and called "The spiritual form of Pitt guiding Behemoth." The monster jaws of Behemoth are full of struggling men, some of whom stretch imploring hands to another spiritual form, who reaches down from a crescent moon in the sky, as if to rescue them. This face and form appear to me certainly meant for Paine.

Acting on Blake's warning Paine's friends got him off to Dover, where, after some trouble, related in a letter to Dundas (see p. 41 of this volume), he reached Calais. He had been elected by four departments to the National Convention, and selected Calais, where he was welcomed with grand civic parades. On September 19, 1792, he arrived in Paris, stopping at "White's Hotel," 7 Passage des Pétits Pères, about five minutes' walk from the Salle de Manége, where, on September 21st, the National Convention opened its sessions. The spot is now indicated by a tablet on the wall of the Tuileries Garden, Rue de Rivoli. On that day Paine was introduced to the Convention by the Abbé Grégoire, and received with acclamation.

The French Minister in London, Chauvelin, had sent to his government (still royalist) a despatch unfavorable to Paine's work in England, part of which I translate:

"May 23, 1792. An Association [for Parliamentary Reform, see pp. 78, 93, of this volume] has been formed to seek the means of forwarding the demand. It includes some distinguished members of the Commons, and a few peers. The writings of M. Payne which preceded this Association by a few days have done

it infinite harm. People suspect under the veil of a reform long demanded by justice and reason an intention to destroy a constitution equally dear to the peers whose privileges it consecrates, to the wealthy whom it protects, and to the entire nation, to which it assures all the liberty desired by a people methodical and slow in character, and who, absorbed in their commercial interests, do not like being perpetually worried about the imbecile George III. or public affairs. Vainly have the friends of reform protested their attachment to the Constitution. Vainly they declare that they desire to demand nothing, to obtain nothing, save in lawful ways. They are persistently disbelieved. Payne alone is seen in all their movements; and this author has not, like Mackintosh, rendered imposing his refutation of Burke. The members of the Association, although very different in principles, find themselves involved in the now almost general disgrace of Payne."

M. Noël writes from London, November 2, 1792, to the republican Minister, Le Brun, concerning the approaching trial of Paine, which had been fixed for December 18th.

"This matter above all excites the liveliest interest. People desire to know whether they live in a free country, where criticism even of government is a right of every citizen. Whatever may be the decision in this interesting trial, the result can only be fortunate for the cause of liberty. But the government cannot conceal from itself that it is suspended over a volcano. The wild dissipations of the King's sons add to the discontent, and if something is overlooked in the Prince of Wales, who is loved enough, it is not so with the Duke of York, who has few friends. The latter has so many debts that at this moment the receivers are in his house, and the creditors wish even his bed to be seized. You perceive, Citizen, what a text fruitful in reflexions this conduct presents to a people groaning under the weight of taxes for the support of such whelps (*louvetaux*)."

Under date of December 22, 1792, M. Noël writes:

"London is perfectly tranquil. The arbitrary measures taken by the government in advance [of Paine's trial] cause no anxiety to the mass of the nation about its liberties. Some

clear-headed people see well that the royal prerogative will gain in this crisis, and that it is dangerous to leave executive power to become arbitrary at pleasure; but this very small number groan in silence, and dare not speak for fear of seeing their property pillaged or burned by what the miserable hirelings of government call 'Loyal Mob,' or 'Church and King Mob.' To the 'Addressers,' of whom I wrote you, are added the associations for maintaining the Constitution they are doing all they can to destroy. There is no corporation, no parish, which is not mustered for this object. All have assembled, one on the other, to press against those whom they call 'The Republicans and the Levellers,' the most inquisitorial measures. Among other parishes, one (S. James' Vestry Room) distinguishes itself by a decree worthy of the sixteenth century. It promises twenty guineas reward to any one who shall denounce those who in conversation or otherwise propagate opinions contrary to the public tranquillity, and places the denouncer under protection of the parish. The inhabitants of London are now placed under a new kind of *Test*, and those who refuse it will undoubtedly be persecuted. Meantime these papers are carried from house to house to be signed, especially by those lodging as strangers. This *Test* causes murmurs, and some try to evade signature, but the number is few. The example of the capital is generally followed.

"The trial of Payne, which at one time seemed likely to cause events, has ended in the most peaceful way. Erskine has been borne to his house by people shouting *God Save the King! Erskine forever!* The friends of liberty generally are much dissatisfied with the way in which he has defended his client. They find that he threw himself into commonplaces which could make his eloquence shine, but guarded himself well from going to the bottom of the question. Vane especially, a distinguished advocate and zealous democrat, is furious against Erskine. It is now for Payne to defend himself. But whatever he does, he will have trouble enough to reverse the opinion. The Jury's verdict is generally applauded: a mortal blow is dealt to freedom of thought. People sing in the streets, even at midnight, *God save the King and damn Tom Payne!*"[1]

[1] The despatches from which these translations are made are in the Archives of the Department of State at Paris, series marked *Angleterre*, vol. 581.

The student of that period will find some instruction in a collection, now in the British Museum, of coins and medals mostly struck after the trial and outlawry of Paine. A half-penny, January 21, 1793: *obverse*, a man hanging on a gibbet, with church in the distance; motto "End of Pain"; *reverse*, open book inscribed "The Wrongs of Man." A token: bust of Paine, with his name; *reverse*, "The Mountain in Labour, 1793." Farthing: Paine gibbeted; *reverse*, breeches burning, legend, "Pandora's breeches"; beneath, serpent decapitated by a dagger, the severed head that of Paine. Similar farthing, but *reverse*, combustibles intermixed with labels issuing from a globe marked "Fraternity"; the labels inscribed "Regicide," "Robbery," "Falsity," "Requisition"; legend, "French Reforms, 1797"; near by, a church with flag, on it a cross. Half-penny without date, but no doubt struck in 1794, when a rumor reached London that Paine had been guillotined: Paine gibbeted; above, devil smoking a pipe; *reverse*, monkey dancing; legend, "We dance, Paine swings." Farthing: three men hanging on a gallows; "The three Thomases, 1796." *Reverse*, "May the three knaves of Jacobin Clubs never get a trick." The three Thomases were Thomas Paine, Thomas Muir, and Thomas Spence. In 1794 Spence was imprisoned seven months for publishing some of Paine's works at his so-called "Hive of Liberty." Muir, a Scotch lawyer, was banished to Botany Bay for fourteen years for having got up in Edinburgh (1792) a "Convention," in imitation of that just opened in Paris; two years later he escaped from Botany Bay on an American ship, and found his way to Paine in Paris. Among these coins there are two of opposite character. A farthing represents Pitt on a gibbet, against which rests a ladder; inscription, "End of P [here an eye] T." *Reverse*, face of Pitt conjoined with that of the devil, and legend, "Even Fellows." Another farthing like the last, except an added legend, "Such is the reward of tyrants, 1796." These anti-Pitt farthings were struck by Thomas Spence.

In the winter of 1792–3 the only Reign of Terror was in England. The Ministry had replied to Paine's "Rights of

Man" by a royal proclamation against seditious literature, surrounding London with militia, and calling a meeting of Parliament (December, 1792) out of season. Even before the trial of Paine his case was prejudged by the royal proclamation, and by the Addresses got up throughout the country in response,—documents which elicited Paine's Address to the Addressers, chapter IX. in this volume. The Tory gentry employed roughs to burn Paine in effigy throughout the country, and to harry the Nonconformists. Dr. Priestley's house was gutted. Mr. Fox (December 14, 1792) reminded the House of Commons that all the mobs had "Church and King" for their watchword, no mob having been heard of for "The Rights of Man"; and he vainly appealed to the government to prosecute the dangerous libels against Dissenters as they were prosecuting Paine's work. Burke, who in the extra session of Parliament for the first time took his seat on the Treasury Bench, was reminded that he had once "exulted at the victories of that rebel Washington," and welcomed Franklin. "Franklin," he said, "was a native of America; Paine was born in England, and lived under the protection of our laws; but, instigated by his evil genius, he conspired against the very country which gave him birth, by attempting to introduce the new and pernicious doctrines of republicans."

In the course of the same harangue, Burke alluded to the English and Irish deputations, then in Paris, which had congratulated the Convention on the defeat of the invaders of the Republic. Among them he named Lord Semphill, John Frost, D. Adams, and "Joel—Joel the Prophet" (Joel Barlow). These men were among those who, towards the close of 1792, formed a sort of Paine Club at "Philadelphia House"—as White's Hotel was now called. The men gathered around Paine, as the exponent of republican principles, were animated by a passion for liberty which withheld no sacrifice. Some of them threw away wealth and rank as trifles. At a banquet of the Club, at Philadelphia House, November 18, 1792, where Paine presided, Lord Edward Fitzgerald and Sir Robert Smyth, Baronet, formally re-

nounced their titles. Sir Robert proposed the toast, "A speedy abolition of all hereditary titles and feudal distinctions." Another toast was, "Paine—and the new way of making good books known by a Royal proclamation and a King's Bench prosecution."

There was also Franklin's friend, Benjamin Vaughan, Member of Parliament, who, compromised by an intercepted letter, took refuge in Paris under the name of Jean Martin. Other Englishmen were Rev. Jeremiah Joyce, a Unitarian minister and author (coadjutor of Dr. Gregory in his "Cyclopædia"); Henry Redhead Yorke, a West Indian with some negro blood (afterwards an agent of Pitt, under whom he had been imprisoned); Robert Merry, husband of the actress "Miss Brunton"; Sayer, Rayment, Macdonald, Perry.

Sampson Perry of London, having attacked the government in his journal, "The Argus," fled from an indictment, and reached Paris in January, 1793. These men, who for a time formed at Philadelphia House their Parliament of Man, were dashed by swift storms on their several rocks. Sir Robert Smyth was long a prisoner under the Reign of Terror, and died (1802) of the illness thereby contracted. Lord Edward Fitzgerald was slain while trying to kindle a revolution in Ireland. Perry was a prisoner in the Luxembourg, and afterwards in London. John Frost, a lawyer (struck off the roll), ventured back to London, where he was imprisoned six months in Newgate, sitting in the pillory at Charing Cross one hour per day. Robert Merry went to Baltimore, where he died in 1798. Nearly all of these men suffered griefs known only to the "man without a country."

Sampson Perry, who in 1796 published an interesting "History of the French Revolution," has left an account of his visit to Paine in January, 1793:

"I breakfasted with Paine about this time at the Philadelphia Hotel, and asked him which province in America he conceived the best calculated for a fugitive to settle in, and, as it were, to begin the world with no other means or pretensions than common sense and common honesty. Whether he saw the occasion and

felt the tendency of this question I know not; but he turned it aside by the political news of the day, and added that he was going to dine with Petion, the mayor, and that he knew I should be welcome and be entertained. We went to the mayoralty in a hackney coach, and were seated at a table about which were placed the following persons: Petion, the mayor of Paris, with his female relation who did the honour of the table; Dumourier, the commander-in-chief of the French forces, and one of his aides-de-camp; Santerre, the commandant of the armed force of Paris, and an aide-de-camp; Condorcet; Brissot; Gaudet; Genson-net; Danton; Kersaint; Clavière; Vergniaud; and Syèyes; which, with three other persons, whose names I do not now recollect, and including Paine and myself, made in all nineteen."

Paine found warm welcome in the home of Achille Duchâtelet, who with him had first proclaimed the Republic, and was now a General. Madame Duchâtelet was an English lady of rank, Charlotte Comyn, and English was fluently spoken in the family. They resided at Auteuil, not far from the Abbé Moulet, who preserved an arm-chair with the inscription, *Benjamin Franklin hic sedebat.* Paine was a guest of the Duchâtelets soon after he got to work in the Convention, as I have just discovered by a letter addressed "To Citizen Le Brun, Minister of Foreign Affairs, Paris."

"Auteuil, Friday, the 4th December, 1792. I enclose an Irish newspaper which has been sent me from Belfast. It contains the Address of the Society of United Irishmen of Dublin (of which Society I am a member) to the volunteers of Ireland. None of the English newspapers that I have seen have ventured to republish this Address, and as there is no other copy of it than this which I send you, I request you not to let it go out of your possession. Before I received this newspaper I had drawn up a statement of the affairs of Ireland, which I had communicated to my friend General Duchâtelet at Auteuil, where I now am. I wish to confer with you on that subject, but as I do not speak French, and as the matter requires confidence, General Duchâtelet has desired me to say that if you can make it convenient to dine with him and me at Auteuil, he will with pleasure do the office of in-

terpreter. I send this letter by my servant, but as it may not be convenient to you to give an answer directly, I have told him not to wait.—THOMAS PAINE."

It will be noticed that Paine now keeps his servant, and drives to the Mayor's dinner in a hackney coach. A portrait painted in Paris about this time, now owned by Mr. Alfred Howlett of Syracuse, N. Y., shows him in elegant costume.

It is mournful to reflect, even at this distance, that only a little later both Paine and his friend General Duchâtelet were prisoners. The latter poisoned himself in prison (1794).

The illustrative notes and documents which it seems best to set before the reader at the outset may here terminate. As in the previous volumes the writings are, as a rule, given in chronological sequence, but an exception is now made in respect of Paine's religious writings, some of which antedate essays in the present volume. The religious writings are reserved for the fourth and final volume, to which will be added an Appendix containing Paine's poems, scientific fragments, and several letters of general interest.

I.

THE REPUBLICAN PROCLAMATION.[1]

"BRETHREN AND FELLOW CITIZENS:

"THE serene tranquillity, the mutual confidence which prevailed amongst us, during the time of the late King's escape, the indifference with which we beheld him return, are unequivocal proofs that the absence of a King is more desirable than his presence, and that he is not only a political superfluity, but a grievous burden, pressing hard on the whole nation.

"Let us not be imposed on by sophisms; all that concerns this is reduced to four points.

"He has abdicated the throne in having fled from his post. Abdication and desertion are not characterized by the length of absence; but by the single act of flight. In the present instance, the act is everything, and the time nothing.

"The nation can never give back its confidence to a man who, false to his trust, perjured to his oath, conspires a clandestine flight, obtains a fraudulent passport, conceals a King of France under the disguise of a valet, directs his course towards a frontier covered with traitors and deserters, and evidently meditates a return into our country, with a force capable of imposing his own despotic laws.

"Should his flight be considered as his own act, or the act of those who fled with him? Was it a spontaneous resolution of his own, or was it inspired by others? The alterna-

[1] See Introduction to this volume. This manifesto with which Paris was found placarded on July 1, 1791, is described by Dumont as a "Republican Proclamation," but what its literal caption was I have not found.—*Editor.*

tive is immaterial; whether fool or hypocrite, idiot or traitor, he has proved himself equally unworthy of the important functions that had been delegated to him.

"In every sense in which the question can be considered, the reciprocal obligation which subsisted between us is dissolved. He holds no longer any authority. We owe him no longer obedience. We see in him no more than an indifferent person; we can regard him only as Louis Capet.

"The history of France presents little else than a long series of public calamity, which takes its source from the vices of Kings; we have been the wretched victims that have never ceased to suffer either for them or by them. The catalogue of their oppressions was complete, but to complete the sum of their crimes, treason was yet wanting. Now the only vacancy is filled up, the dreadful list is full; the system is exhausted; there are no remaining errors for them to commit; their reign is consequently at an end.

"What kind of office must that be in a government which requires for its execution neither experience nor ability, that may be abandoned to the desperate chance of birth, that may be filled by an idiot, a madman, a tyrant, with equal effect as by the good, the virtuous, and the wise? An office of this nature is a mere nonentity; it is a place of show, not of use. Let France then, arrived at the age of reason, no longer be deluded by the sound of words, and let her deliberately examine, if a King, however insignificant and contemptible in himself, may not at the same time be extremely dangerous.

"The thirty millions which it costs to support a King in the eclat of stupid brutal luxury, presents us with an easy method of reducing taxes, which reduction would at once relieve the people, and stop the progress of political corruption. The grandeur of nations consists, not, as Kings pretend, in the splendour of thrones, but in a conspicuous sense of their own dignity, and in a just disdain of those barbarous follies and crimes which, under the sanction of Royalty, have hitherto desolated Europe.

"As to the personal safety of Louis Capet, it is so much the more confirmed, as France will not stoop to degrade her-

self by a spirit of revenge against a wretch who has dishonoured himself. In defending a just and glorious cause, it is not possible to degrade it, and the universal tranquillity which prevails is an undeniable proof that a free people know how to respect themselves."

II.

TO THE AUTHORS OF "LE RÉPUBLICAIN."[1]

GENTLEMEN:

M. DUCHÂTELET has mentioned to me the intention of some persons to commence a work under the title of "The Republican."

As I am a Citizen of a country which knows no other Majesty than that of the People; no other Government than that of the Representative body; no other sovereignty than that of the Laws, and which is attached to *France* both by alliance and by gratitude, I voluntarily offer you my services in support of principles as honorable to a nation as they are adapted to promote the happiness of mankind. I offer them to you with the more zeal, as I know the moral, literary, and political character of those who are engaged in the undertaking, and find myself honoured in their good opinion.

But I must at the same time observe, that from ignorance of the French language, my works must necessarily undergo a translation; they can of course be of but little utility, and my offering must consist more of wishes than services. I must add, that I am obliged to pass a part of this summer in England and Ireland.

As the public has done me the unmerited favor of recognizing me under the appellation of "Common Sense," which is my usual signature, I shall continue it in this publication

[1] "Le Républicain; ou le Défenseur du gouvernement Réprésentatif. Par une Société des Républicains. A Paris. July, 1791." See Introduction to this volume.—*Editor.*

to avoid mistakes, and to prevent my being supposed the author of works not my own. As to my political principles, I shall endeavour, in this letter, to trace their general features in such a manner, as that they cannot be misunderstood.

It is desirable in most instances to avoid that which may give even the least suspicion as to the part meant to be adopted, and particularly on the present occasion, where a perfect clearness of expression is necessary to the avoidance of any possible misinterpretation. I am happy, therefore, to find, that the work in question is entitled "The Republican." This word expresses perfectly the idea which we ought to have of Government in general—*Res Publica*—the public affairs of a nation.

As to the word *Monarchy*, though the address and intrigue of Courts have rendered it familiar, it does not contain the less of reproach or of insult to a nation. The word, in its immediate or original sense, signifies *the absolute power of a single individual*, who may prove a fool, an hypocrite, or a tyrant. The appellation admits of no other interpretation than that which is here given. France is therefore not a *Monarchy;* it is insulted when called by that name. The servile spirit which characterizes this species of government is banished from FRANCE, and this country, like AMERICA, can now afford to Monarchy no more than a glance of disdain.

Of the errors which monarchic ignorance or knavery has spread through the world, the one which bears the marks of the most dexterous invention, is the opinion that the system of *Republicanism* is only adapted to a small country, and that a *Monarchy* is suited, on the contrary, to those of greater extent. Such is the language of Courts, and such the sentiments which they have caused to be adopted in monarchic countries; but the opinion is contrary, at the same time, to principle and to experience.

The GOVERNMENT, to be of real use, should possess a complete knowledge of all the parties, all the circumstances, and all the interests of a nation. The monarchic system, in

consequence, instead of being suited to a country of great extent, would be more admissible in a small territory, where an individual may be supposed to know the affairs and the interests of the whole. But when it is attempted to extend this individual knowledge to the affairs of a great country, the capacity of knowing bears no longer any proportion to the extent or multiplicity of the objects which ought to be known, and the government inevitably falls from ignorance into tyranny. For the proof of this position we need only look to Spain, Russia, Germany, Turkey, and the whole of the Eastern Continent,—countries, for the deliverance of which I offer my most sincere wishes.

On the contrary, the true *Republican* system, by Election and Representation, offers the only means which are known, and, in my opinion, the only means which are possible, of proportioning the wisdom and the information of a Government to the extent of a country.

The system of *Representation* is the strongest and most powerful center that can be devised for a nation. Its attraction acts so powerfully, that men give it their approbation even without reasoning on the cause; and FRANCE, however distant its several parts, finds itself at this moment *an whole*, in its *central* Representation. The citizen is assured that his rights are protected, and the soldier feels that he is no longer the slave of a Despot, but that he is become one of the Nation, and interested of course in its defence.

The states at present styled *Republican*, as Holland, Genoa, Venice, Berne, &c. are not only unworthy the name, but are actually in opposition to every principle of a *Republican* government, and the countries submitted to their power are, truly speaking, subject to an *Aristocratic* slavery!

It is, perhaps, impossible, in the first steps which are made in a Revolution, to avoid all kind of error, in principle or in practice, or in some instances to prevent the combination of both. Before the sense of a nation is sufficiently enlightened, and before men have entered into the habits of a free communication with each other of their natural thoughts, a

certain reserve—a timid prudence seizes on the human mind, and prevents it from obtaining its level with that vigor and promptitude that belongs to *right*.—An example of this influence discovers itself in the commencement of the present Revolution: but happily this discovery has been made before the Constitution was completed, and in time to provide a remedy.

The *hereditary succession* can never exist as a matter of *right;* it is a *nullity*—a *nothing*. To admit the idea is to regard man as a species of property belonging to some individuals, either born or to be born! It is to consider our descendants, and all posterity, as mere animals without a right or will! It is, in fine, the most base and humiliating idea that ever degraded the human species, and which, for the honor of Humanity, should be destroyed for ever.

The idea of hereditary succession is so contrary to the rights of man, that if we were ourselves to be recalled to existence, instead of being replaced by our posterity, we should not have the right of depriving ourselves beforehand of those *rights* which would then properly belong to us. On what ground, then, or by what authority, do we dare to deprive of their rights those children who will soon be men? Why are we not struck with the injustice which we perpetrate on our descendants, by endeavouring to transmit them as a vile herd to masters whose vices are all that can be foreseen.

Whenever the *French* constitution shall be rendered conformable to its *Declaration of Rights*, we shall then be enabled to give to France, and with justice, the appellation of a *civic Empire;* for its government will be the empire of laws founded on the great republican principles of *Elective Representation*, and the *Rights of Man*.—But Monarchy and Hereditary Succession are incompatible with the *basis* of its constitution.

I hope that I have at present sufficiently proved to you that I am a good Republican; and I have such a confidence in the truth of the principles, that I doubt not they will

soon be as universal in *France* as in *America*. The pride of human nature will assist their evidence, will contribute to their establishment, and men will be ashamed of Monarchy.

I am, with respect, Gentlemen, your friend,

THOMAS PAINE.

PARIS, June, 1791.

III.

TO THE ABBÉ SIÈYES.[1]

PARIS, 8th July, 1791.

SIR,

AT the moment of my departure for England, I read, in the *Moniteur* of Tuesday last, your letter, in which you give the challenge, on the subject of Government, and offer to defend what is called the *Monarchical opinion* against the Republican system.

I accept of your challenge with pleasure; and I place such a confidence in the superiority of the Republican system over that nullity of a system, called *Monarchy*, that I engage not to exceed the extent of fifty pages, and to leave you the liberty of taking as much latitude as you may think proper.

The respect which I bear your moral and literary reputation, will be your security for my candour in the course of this discussion; but, notwithstanding that I shall treat the subject seriously and sincerely, let me promise, that I consider myself at liberty to ridicule, as they deserve, Monarchical absurdities, whensoever the occasion shall present itself.

By Republicanism, I do not understand what the name signifies in Holland, and in some parts of Italy. I understand simply a government by representation—a government founded upon the principles of the Declaration of Rights; principles to which several parts of the French Constitution arise in contradiction. The Declaration of Rights of France and America are but one and the same thing in principles, and almost in expressions; and this is the Republicanism

[1] Written to the *Moniteur* in reply to a letter of the Abbé (July 8) elicited by Paine's letter to "Le Républicain" (II.). The Abbé now declining a controversy, Paine dealt with his views in "Rights of Man," Part II., ch. 3.—*Editor.*

which I undertake to defend against what is called *Monarchy* and *Aristocracy*.

I see with pleasure, that in respect to one point we are already agreed; and *that is, the extreme danger of a civil list of thirty millions*. I can discover no reason why one of the parts of the government should be supported with so extravagant a profusion, whilst the other scarcely receives what is sufficient for its common wants.

This dangerous and dishonourable disproportion at once supplies the one with the means of corrupting, and throws the other into the predicament of being corrupted. In America there is but little difference, with regard to this point, between the legislative and the executive part of our government; but the first is much better attended to than it is in France.

In whatsoever manner, Sir, I may treat the subject of which you have proposed the investigation, I hope that you will not doubt my entertaining for you the highest esteem. I must also add, that I am not the personal enemy of Kings. Quite the contrary. No man more heartily wishes than myself to see them all in the happy and honourable state of private individuals; but I am the avowed, open, and intrepid enemy of what is called Monarchy; and I am such by principles which nothing can either alter or corrupt—by my attachment to humanity; by the anxiety which I feel within myself, for the dignity and the honour of the human race; by the disgust which I experience, when I observe men directed by children, and governed by brutes; by the horror which all the evils that Monarchy has spread over the earth excite within my breast; and by those sentiments which make me shudder at the calamities, the exactions, the wars, and the massacres with which Monarchy has crushed mankind: in short, it is against all the hell of monarchy that I have declared war. THOMAS PAINE.[1]

[1] To the sixth paragraph of the above letter is appended a footnote: "A deputy to the congress receives about a guinea and a half daily: and provisions are cheaper in America than in France." The American Declaration of Rights referred to, unless the Declaration of Independence, was no doubt, especially that of Pennsylvania, which Paine helped to frame.—*Editor*.

IV.

TO THE ATTORNEY GENERAL.

[Undated, but probably late in May, 1792.]

SIR,

THOUGH I have some reason for believing that you were not the original promoter or encourager of the prosecution commenced against the work entitled "*Rights of Man*," either as that prosecution is intended to affect the author, the publisher, or the public; yet as you appear the official person therein, I address this letter to you, not as Sir Archibald Macdonald, but as Attorney General.

You began by a prosecution against the publisher Jordan, and the reason assigned by Mr. Secretary Dundas, in the House of Commons, in the debate on the Proclamation, May 25, for taking that measure, was, he said, because Mr. Paine could not be found, or words to that effect. Mr. Paine, sir, so far from secreting himself, never went a step out of his way, nor in the least instance varied from his usual conduct, to avoid any measure you might choose to adopt with respect to him. It is on the purity of his heart, and the universal utility of the principles and plans which his writings contain, that he rests the issue; and he will not dishonour it by any kind of subterfuge. The apartments which he occupied at the time of writing the work last winter, he has continued to occupy to the present hour, and the solicitors of the prosecution knew where to find him; of which there is a proof in their own office, as far back as the 21st of May, and also in the office of my own Attorney.[1]

[1] Paine was residing at the house of one of his publishers, Thomas Rickman, 7 Upper Marylebone Street, London. His Attorney was the Hon. Thomas Erskine.—*Editor.*

But admitting, for the sake of the case, that the reason for proceeding against the publisher was, as Mr. Dundas stated, that Mr. Paine could not be found, that reason can now exist no longer.

The instant that I was informed that an information was preparing to be filed against me, as the author of, I believe, one of the most useful and benevolent books ever offered to mankind, I directed my Attorney to put in an appearance; and as I shall meet the prosecution fully and fairly, and with a good and upright conscience, I have a right to expect that no act of littleness will be made use of on the part of the prosecution towards influencing the future issue with respect to the author. This expression may, perhaps, appear obscure to you, but I am in the possession of some matters which serve to shew that the action against the publisher is not intended to be a *real* action. If, therefore, any persons concerned in the prosecution have found their cause so weak, as to make it appear convenient to them to enter into a negociation with the publisher, whether for the purpose of his submitting to a verdict, and to make use of the verdict so obtained as a circumstance, by way of precedent, on a future trial against myself; or for any other purpose not fully made known to me; if, I say, I have cause to suspect this to be the case, I shall most certainly withdraw the defence I should otherwise have made, or promoted on his (the publisher's) behalf, and leave the negociators to themselves, and shall reserve the whole of the defence for the *real* trial.[1]

But, sir, for the purpose of conducting this matter with at least the appearance of fairness and openness, that shall justify itself before the public, whose cause it really is, (for it is the right of public discussion and investigation that is questioned,) I have to propose to you to cease the prosecution against the publisher; and as the reason or pretext can no longer exist for continuing it against him because Mr. Paine could not be found, that you would direct

[1] A detailed account of the proceedings with regard to the publisher will be found *infra*, in ix., Letter to the Addressers.—*Editor.*

the whole process against me, with whom the prosecuting party will not find it possible to enter into any private negociation.

I will do the cause full justice, as well for the sake of the nation, as for my own reputation.

Another reason for discontinuing the process against the publisher is, because it can amount to nothing. First, because a jury in London cannot decide upon the fact of publishing beyond the limits of the jurisdiction of London, and therefore the work may be republished over and over again in every county in the nation, and every case must have a separate process; and by the time that three or four hundred prosecutions have been had, the eyes of the nation will then be fully open to see that the work in question contains a plan the best calculated to root out all the abuses of government, and to lessen the taxes of the nation upwards of *six millions annually*.

Secondly, Because though the gentlemen of London may be very expert in understanding their particular professions and occupations, and how to make business contracts with government beneficial to themselves as individuals, the rest of the nation may not be disposed to consider them sufficiently qualified nor authorized to determine for the whole Nation on plans of reform, and on systems and principles of Government. This would be in effect to erect a jury into a National Convention, instead of electing a Convention, and to lay a precedent for the probable tyranny of juries, under the pretence of supporting their rights.

That the possibility always exists of packing juries will not be denied; and, therefore, in all cases, where Government is the prosecutor, more especially in those where the right of public discussion and investigation of principles and systems of Government is attempted to be suppressed by a verdict, or in those where the object of the work that is prosecuted is the reform of abuse and the abolition of sinecure places and pensions, in all these cases the verdict of a jury will itself become a subject of discussion; and therefore, it furnishes an additional reason for discontinuing the prose-

cution against the publisher, more especially as it is not a secret that there has been a negociation with him for secret purposes, and for proceeding against me only. I shall make a much stronger defence than what I believe the Treasury Solicitor's agreement with him will permit him to do.

I believe that Mr. Burke, finding himself defeated, and not being able to make any answer to the *Rights of Man*, has been one of the promoters of this prosecution; and I shall return the compliment to him by shewing, in a future publication, that he has been a masked pensioner at 1500*l.* per annum for about ten years.

Thus it is that the public money is wasted, and the dread of public investigation is produced.

I am, sir,

Your obedient humble servant,

THOMAS PAINE.[1]

[1] Paine's case was set down for June 8th, and on that day he appeared in court; but, much to his disappointment, the trial was adjourned to December 18th, at which time he was in his place in the National Convention at Paris.—*Editor.*

V.

TO MR. SECRETARY DUNDAS.[1]

LONDON, June 6, 1792.

SIR,

As you opened the debate in the House of Commons, May 25th, on the proclamation for suppressing publications, which that proclamation (without naming any) calls wicked and seditious: and as you applied those opprobious epithets to the works entitled "RIGHTS OF MAN," I think it unnecessary to offer any other reason for addressing this letter to you.

I begin, then, at once, by declaring, that I do not believe there are found in the writings of any author, ancient or modern, on the subject of government, a spirit of greater benignity, and a stronger inculcation of moral principles than in those which I have published. They come, Sir, from a man, who, by having lived in different countries, and under different systems of government, and who, being intimate in the construction of them, is a better judge of the subject than it is possible that you, from the want of those opportunities, can be:—And besides this, they come from a heart that knows not how to beguile.

I will farther say, that when that moment arrives in which the best consolation that shall be left will be looking back on some past actions, more virtuous and more meritorious than the rest, I shall then with happiness remember, among other things, I have written the RIGHTS OF MAN.—As to what proclamations, or prosecutions, or place-men, and place-

[1] Henry D. (afterwards Viscount Melville), appointed Secretary for the Home Department, 1791. In 1805 he was impeached by the Commons for "gross malversation" while Treasurer of the Navy; he was acquitted by the Lords (1806), but not by public sentiment or by history.—*Editor.*

expectants,—those who possess, or those who are gaping for office,—may say of them, it will not alter their character, either with the world or with me.

Having, Sir, made this declaration, I shall proceed to remark, not particularly on your speech on that occasion, but on any one to which your motion on that day gave rise; and I shall begin with that of Mr. Adam.

This Gentleman accuses me of not having done the very thing that *I have done*, and which, he says, if I *had* done, he should not have accused me.

Mr. Adam, in his speech, (see the Morning Chronicle of May 26,) says,

"That he had well considered the subject of Constitutional Publications, and was by no means ready to say (but the contrary) that books of science upon government though recommending a doctrine or system different from the form of our constitution (meaning that of England) were fit objects of prosecution; that if he did, he must condemn HARRINGTON for his Oceana, Sir THOMAS MORE for his Eutopia, and HUME for his Idea of a perfect Commonwealth. But (continued Mr. Adam) the publication of Mr. PAINE was very different; for it reviled what was most sacred in the constitution, destroyed every principle of subordination, and *established nothing in their room.*"

I readily perceive that Mr. Adam has not read the *Second* Part of *Rights of Man*, and I am put under the necessity, either of submitting to an erroneous charge, or of justifying myself against it; and certainly shall prefer the latter.—If, then, I shall prove to Mr. ADAM, that in my reasoning upon systems of government, in the Second Part of *Rights of Man*, I have shown as clearly, I think, as words can convey ideas, a certain system of government, and that not existing in theory only, but already in full and established practice, and systematically and practically free from all the vices and defects of the English government, and capable of producing more happiness to the people, and that also with an eightieth part of the taxes, which the present English system of government consumes; I hope he will do me the justice, when he next goes to the House, to get up and confess he

had been mistaken in saying, that I had *established nothing, and that I had destroyed every principle of subordination.* Having thus opened the case, I now come to the point.

In the Second Part of the RIGHTS OF MAN, I have distinguished government into two classes or systems: the one the hereditary system, the other the representative system.

In the First Part of *Rights of Man*, I have endeavoured to shew, and I challenge any man to refute it, that there does not exist a right to establish hereditary government; or, in other words, hereditary governors; because hereditary government always means a government yet to come, and the case always is, that the people who are to live afterwards, have always the same right to choose a government for themselves, as the people had who lived before them.

In the Second Part of *Rights of Man*, I have not repeated those arguments, because they are irrefutable; but have confined myself to shew the defects of what is called hereditary government, or hereditary succession, that it must, from the nature of it, throw government into the hands of men totally unworthy of it, from want of principle, or unfitted for it from want of capacity.—James the IId. is recorded as an instance of the first of these cases; and instances are to be found almost all over Europe to prove the truth of the latter.

To shew the absurdity of the Hereditary System still more strongly, I will now put the following case:—Take any fifty men promiscuously, and it will be very extraordinary, if, out of that number, one man should be found, whose principles and talents taken together (for some might have principles, and others might have talents) would render him a person truly fitted to fill any very extraordinary office of National Trust. If then such a fitness of character could not be expected to be found in more than one person out of fifty, it would happen but once in a thousand years to the eldest son of any one family, admitting each, on an average, to hold the office twenty years. Mr. Adam talks of something in the Constitution which he calls *most sacred;* but I hope he does not mean hereditary succession, a thing which

appears to me a violation of every order of nature, and of common sense.

When I look into history and see the multitudes of men, otherwise virtuous, who have died, and their families been ruined, in the defence of knaves and fools, and which they would not have done, had they reasoned at all upon the system; I do not know a greater good that an individual can render to mankind, than to endeavour to break the chains of political superstition. Those chains are now dissolving fast, and proclamations and persecutions will serve but to hasten that dissolution.

Having thus spoken of the Hereditary System as a bad System, and subject to every possible defect, I now come to the Representative System, and this Mr. Adam will find stated in the Second Part of Rights of Man, not only as the best, but as the only *Theory* of Government under which the liberties of the people can be permanently secure.

But it is needless now to talk of mere theory, since there is already a government in full practice, established upon that theory; or in other words, upon the Rights of Man, and has been so for almost twenty years. Mr. Pitt, in a speech of his some short time since, said, "That there never did, and never could exist a Government established upon those Rights, and that if it began at noon, it would end at night." Mr. Pitt has not yet arrived at the degree of a school-boy in this species of knowledge; his practice has been confined to the means of *extorting revenue*, and his boast has been—*how much!* Whereas the boast of the system of government that I am speaking of, is not how much, but how little.

The system of government purely representative, unmixed with any thing of hereditary nonsense, began in America. I will now compare the effects of that system of government with the system of government in England, both during, and since the close of the war.

So powerful is the Representative system, first, by combining and consolidating all the parts of a country together, however great the extent; and, secondly, by admitting of

none but men properly qualified into the government, or dismissing them if they prove to be otherwise, that America was enabled thereby totally to defeat and overthrow all the schemes and projects of the hereditary government of England against her. As the establishment of the Revolution and Independence of America is a proof of this fact, it is needless to enlarge upon it.

I now come to the comparative effect of the two systems *since* the close of the war, and I request Mr. Adam to attend to it.

America had internally sustained the ravages of upwards of seven years of war, which England had not. England sustained only the expence of the war; whereas America sustained not only the expence, but the destruction of property committed by *both* armies. Not a house was built during that period, and many thousands were destroyed. The farms and plantations along the coast of the country, for more than a thousand miles, were laid waste. Her commerce was annihilated. Her ships were either taken, or had rotted within her own harbours. The credit of her funds had fallen upwards of ninety per cent., that is, an original hundred pounds would not sell for ten pounds. In fine, she was apparently put back an hundred years when the war closed, which was not the case with England.

But such was the event, that the same representative system of government, though since better organized, which enabled her to conquer, enabled her also to recover, and she now presents a more flourishing condition, and a more happy and harmonized society, under that system of government, than any country in the world can boast under any other. Her towns are rebuilt, much better than before; her farms and plantations are in higher improvement than ever; her commerce is spread over the world, and her funds have risen from less than ten pounds the hundred to upwards of one hundred and twenty. Mr. Pitt and his colleagues talk of the things that have happened in his boyish administration, without knowing what greater things have happened elsewhere, and under other systems of government.

I now come to state the expence of the two systems, as they now stand in each of the countries; but it may first be proper to observe, that government in America is what it ought to be, a matter of honour and trust, and not made a trade of for the purpose of lucre.

The whole amount of the nett taxes in England (exclusive of the expence of collection, of drawbacks, of seizures and condemnation, of fines and penalties, of fees of office, of litigations and informers, which are some of the blessed means of enforcing them) is seventeen millions. Of this sum, about nine millions go for the payment of the interest of the national debt, and the remainder, being about eight millions, is for the current annual expences. This much for one side of the case. I now come to the other.

The expence of the several departments of the general Representative Government of the United States of America, extending over a space of country nearly ten times larger than England, is two hundred and ninety-four thousand, five hundred and fifty-eight dollars, which, at 4*s.* 6*d.* per dollar, is 66,305*l* 11*s.* sterling, and is thus apportioned;

Expence of the Executive Department.

The Office of Presidency, for which the President receives nothing for himself [see p. 23, note].....	5,625*l.* 0*s.*
Vice President.....	1,125 0
Chief-justice.....	900 0
Five associate Justices.....	3,937 10
Nineteen Judges of Districts, and Attorney-general...	6,873 15

Legislative Department.

Members of Congress at 6 dolls. (1*l.* 7*s.*) per day, their Secretaries, Clerks, Chaplains, Messengers, Door-keepers, &c.....	25,515*l.* 0

Treasury Department.

Secretary, Assistant, Comptroller, Auditor, Treasurer, Register, and Loan-Office Keeper, in each State, together with all necessary Clerks, Office Keepers, &c.	12,825 0

Department of State, including Foreign Affairs.		
Secretary, Clerks, &c., &c.....	1,406	5
Department of War.		
Secretary, Clerks, Paymasters, Commissioners, &c...	1,462	10
Commissioners for settling Old Accounts.		
The whole Board, Clerks, &c.....	2,598	15
Incidental and Contingent expences.		
For Fire-wood, Stationery, Printing, &c.....	4,006	16
Total.....	66,275	11

On account of the incursions of the Indians on the back settlements, Congress is at this time obliged to keep six thousand militia in pay, in addition to a regiment of foot, and a battalion of artillery, which it always keeps; and this increases the expence of the War Department to 390,000 dollars, which is 87,795*l.* sterling, but when peace shall be concluded with the Indians, the greatest part of this expence will cease, and the total amount of the expence of government, including that of the army, will not amount to 100,000*l.* sterling, which, as has been already stated, is but an eightieth part of the expences of the English government.

I request Mr. Adam and Mr. Dundas, and all those who are talking of Constitutions, and blessings, and Kings, and Lords, and the Lord knows what, to look at this statement. Here is a form and system of government, that is better organized and better administered than any government in the world, and that for less than one hundred thousand pounds per annum, and yet every Member of Congress receives, as a compensation for his time and attendance on public business, one pound seven shillings per day, which is at the rate of nearly five hundred pounds a year.

This is a government that has nothing to fear. It needs no proclamations to deter people from writing and reading. It needs no political superstition to support it; it was by

encouraging discussion and rendering the press free upon all subjects of government, that the principles of government became understood in America, and the people are now enjoying the present blessings under it. You hear of no riots, tumults, and disorders in that country; because there exists no cause to produce them. Those things are never the effect of Freedom, but of restraint, oppression, and excessive taxation.

In America, there is not that class of poor and wretched people that are so numerously dispersed all over England, who are to be told by a proclamation, that they are happy; and this is in a great measure to be accounted for, not by the difference of proclamations, but by the difference of governments and the difference of taxes between that country and this. What the labouring people of that country earn, they apply to their own use, and to the education of their children, and do not pay it away in taxes as fast as they earn it, to support Court extravagance, and a long enormous list of place-men and pensioners; and besides this, they have learned the manly doctrine of reverencing themselves, and consequently of respecting each other; and they laugh at those imaginary beings called Kings and Lords, and all the fraudulent trumpery of Court.

When place-men and pensioners, or those who expect to be such, are lavish in praise of a government, it is not a sign of its being a good one. The pension list alone in England (see sir John Sinclair's History of the Revenue, p. 6, of the Appendix) is one hundred and seven thousand four hundred and four pounds, *which is more than the expences of the whole Government of America amount to.* And I am now more convinced than before, that the offer that was made to me of a thousand pounds for the copy-right of the second part of the Rights of Man, together with the remaining copy-right of the first part, was to have effected, by a quick suppression, what is now attempted to be done by a prosecution. The connection which the person, who made the offer, has with the King's printing-office, may furnish part of the means of inquiring into this affair, when the ministry shall please to

bring their prosecution to issue.[1] But to return to my subject.—

I have said in the second part of the *Rights of Man*, and I repeat it here, that the service of any man, whether called King, President, Senator, Legislator, or any thing else, cannot be worth more to any country, in the regular routine of office, than ten thousand pounds per annum. We have a better man in America, and more of a gentleman, than any King I ever knew of, who does not occasion half that expence; for, though the salary is fixed at £5625 he does not accept it, and it is only the incidental expences that are paid out of it.[2] The name by which a man is called is of itself but an empty thing. It is worth and character alone which can render him valuable, for without these, Kings, and Lords, and Presidents, are but jingling names.

But without troubling myself about Constitutions of Government, I have shewn in the Second Part of *Rights of Man*, that an alliance may be formed between England, France, and America, and that the expences of government in England may be put back to one million and a half, viz.:

Civil expence of Government . .	500,000*l.*
Army	500,000
Navy	500,000
	1,500,000*l.*

And even this sum is fifteen times greater than the expences of government are in America; and it is also greater than the whole peace establishment of England amounted to about an hundred years ago. So much has the weight and oppression of taxes increased since the Revolution, and especially since the year 1714.

[1] At Paine's trial, Chapman, the printer, in answer to a question of the Solicitor General, said: "I made him three separate offers in the different stages of the work; the first, I believe, was a hundred guineas, the second five hundred, and the last was a thousand."—*Editor.*

[2] Error. See also *ante*, p. 20, and in vol. ii., p. 435. Washington had retracted his original announcement, and received his salary regularly.—*Editor.*

To shew that the sum of 500,000*l.* is sufficient to defray all civil expences of government, I have, in that work, annexed the following estimate for any country of the same extent as England.—

In the first place, three hundred Representatives, fairly elected, are sufficient for all the purposes to which Legislation can apply, and preferable to a larger number.

If, then, an allowance, at the rate of 500*l.* per annum be made to every Representative, deducting for non-attendance, the expence, if the whole number attended six months each year, would be . . . . . 75,000*l.*

The Official Departments could not possibly exceed the following number, with the salaries annexed, viz.:

Three offices	at	10,000*l.*	each	30,000
Ten ditto	at	5,000	"	50,000
Twenty ditto	at	2,000	"	40,000
Forty ditto	at	1,000	"	40,000
Two hundred ditto	at	500	"	100,000
Three hundred ditto	at	200	"	60,000
Five hundred ditto	at	100	"	50,000
Seven hundred ditto	at	75	"	52,500
				497,500*l.*

If a nation chose, it might deduct four per cent. from all the offices, and make one of twenty thousand pounds per annum, and style the person who should fill it, King or Madjesty, [1] or give him any other title.

Taking, however, this sum of one million and a half, as an abundant supply for all the expences of government under any form whatever, there will remain a surplus of nearly six millions and a half out of the present taxes, after paying the interest of the national debt; and I have shewn in the Sec-

[1] A friend of Paine advised him against this pun, as too personal an allusion to George the Third, to whom however much has been forgiven on account of his mental infirmity. Yorke, in his account of his visit to Paine, 1802, alludes to his (Paine's) anecdotes " of humor and benevolence " concerning George III. —*Editor.*

ond Part of *Rights of Man*, what appears to me, the best mode of applying the surplus money; for I am now speaking of expences and savings, and not of systems of government.

I have, in the first place, estimated the poor-rates at two millions annually, and shewn that the first effectual step would be to abolish the poor-rates entirely (which would be a saving of two millions to the house-keepers,) and to remit four millions out of the surplus taxes to the poor, to be paid to them in money, in proportion to the number of children in each family, and the number of aged persons.

I have estimated the number of persons of both sexes in England, of fifty years of age and upwards, at 420,000, and have taken one third of this number, viz. 140,000, to be poor people.

To save long calculations, I have taken 70,000 of them to be upwards of fifty years of age, and under sixty, and the others to be sixty years and upwards; and to allow six pounds per annum to the former class, and ten pounds per annum to the latter. The expence of which will be,

Seventy thousand persons at 6*l.* per annum . .	420,000*l.*
Seventy thousand persons at 10*l.* per annum . .	700,000
	1,120,000*l.*

There will then remain of the four millions, 2,880,000*l.* I have stated two different methods of appropriating this money. The one is to pay it in proportion to the number of children in each family, at the rate of three or four pounds per annum for each child; the other is to apportion it according to the expence of living in different counties; but in either of these cases it would, together with the allowance to be made to the aged, completely take off taxes from one third of all the families in England, besides relieving all the other families from the burthen of poor-rates.

The whole number of families in England, allotting five souls to each family, is one million four hundred thousand, of which I take one third, *viz.* 466,666 to be poor families

who now pay four millions of taxes, and that the poorest pays at least four guineas a year; and that the other thirteen millions are paid by the other two-thirds. The plan, therefore, as stated in the work, is, first, to remit or repay, as is already stated, this sum of four millions to the poor, because it is impossible to separate them from the others in the present mode of collecting taxes on articles of consumption; and, secondly, to abolish the poor-rates, the house and window-light tax, and to change the commutation tax into a progressive tax on large estates, the particulars of all which are set forth in the work, to which I desire Mr. Adam to refer for particulars. I shall here content myself with saying, that to a town of the population of Manchester, it will make a difference in its favour, compared with the present state of things, of upwards of fifty thousand pounds annually, and so in proportion to all other places throughout the nation. This certainly is of more consequence than that the same sums should be collected to be afterwards spent by riotous and profligate courtiers, and in nightly revels at the Star and Garter tavern, Pall Mall.

I will conclude this part of my letter with an extract from the Second Part of the *Rights of Man*, which Mr. Dundas (a man rolling in luxury at the expence of the nation) has branded with the epithet of "wicked."

"By the operation of this plan, the poor laws, those instruments of civil torture, will be superseded, and the wasteful expence of litigation prevented. The hearts of the humane will not be shocked by ragged and hungry children, and persons of seventy and eighty years of age begging for bread. The dying poor will not be dragged from place to place to breathe their last, as a reprisal of parish upon parish. Widows will have a maintenance for their children, and not be carted away, on the death of their husbands, like culprits and criminals; and children will no longer be considered as increasing the distresses of their parents. The haunts of the wretched will be known, because it will be to their advantage; and the number of petty crimes, the offspring of poverty and distress, will be lessened. The poor as well as the rich will then be interested in the support of Govern-

ment, and the cause and apprehension of riots and tumults will cease. Ye who sit in ease, and solace yourselves in plenty, and such there are in Turkey and Russia, as well as in England, and who say to yourselves, *are we not well off?* have ye thought of these things? When ye do, ye will cease to speak and feel for yourselves alone."

After this remission of four millions be made, and the poor-rates and houses and window-light tax be abolished, and the commutation tax changed, there will still remain nearly one million and a half of surplus taxes; and as by an alliance between England, France and America, armies and navies will, in a great measure, be rendered unnecessary; and as men who have either been brought up in, or long habited to, those lines of life, are still citizens of a nation in common with the rest, and have a right to participate in all plans of national benefit, it is stated in that work (*Rights of Man*, Part ii.) to apply annually 507,000*l.* out of the surplus taxes to this purpose, in the following manner:

To fifteen thousand disbanded soldiers, 3s. per week (clear of deduction) during life	117,000*l.*
Additional pay to the remaining soldiers, per annum .	19,500
To the officers of the disbanded corps, during life, the sum of	117,000
To fifteen thousand disbanded sailors, 3s. per week during life	117,000
Additional pay to the remaining sailors . . .	19,500
To the officers of the disbanded part of the navy, during life	117,000
	507,000*l.*

The limits to which it is proper to confine this letter, will not admit of my entering into further particulars. I address it to Mr. Dundas because he took the lead in the debate, and he wishes, I suppose, to appear conspicuous; but the purport of it is to justify myself from the charge which Mr. Adam has made.

This Gentleman, as has been observed in the beginning of

this letter, considers the writings of Harrington, More and Hume, as justifiable and legal publications, because they reasoned by comparison, though in so doing they shewed plans and systems of government, not only different from, but preferable to, that of England; and he accuses me of endeavouring to confuse, instead of producing a system in the room of that which I had reasoned against; whereas, the fact is, that I have not only reasoned by comparison of the representative system against the hereditary system, but I have gone further; for I have produced an instance of a government established entirely on the representative system, under which greater happiness is enjoyed, much fewer taxes required, and much higher credit is established, than under the system of government in England. The funds in England have risen since the war only from 54*l.* to 97*l.* and they have been down since the proclamation, to 87*l.* whereas the funds in America rose in the mean time from 10*l.* to 120*l.*

His charge against me of "destroying every principle of subordination," is equally as groundless; which even a single paragraph from the work will prove, and which I shall here quote:

"Formerly when divisions arose respecting Governments, recourse was had to the sword, and a civil war ensued. That savage custom is exploded by the new system, and *recourse is had to a national convention.* Discussion, and the general will, arbitrates the question, and to this private opinion yields with a good grace, and *order is preserved uninterrupted.*"

That two different charges should be brought at the same time, the one by a Member of the Legislative, for *not* doing a certain thing, and the other by the Attorney General for *doing* it, is a strange jumble of contradictions. I have now justified myself, or the work rather, against the first, by stating the case in this letter, and the justification of the other will be undertaken in its proper place. But in any case the work will go on.

I shall now conclude this letter with saying, that the only

objection I found against the plan and principles contained in the Second Part of *Rights of Man*, when I had written the book, was, that they would beneficially interest at least ninety-nine persons out of every hundred throughout the nation, and therefore would not leave sufficient room for men to act from the direct and disinterested principles of honour; but the prosecution now commenced has fortunately removed that objection, and the approvers and protectors of that work now feel the immediate impulse of honour added to that of national interest.

I am, Mr. Dundas,

Not your obedient humble Servant,

But the contrary,

THOMAS PAINE.

VI.

LETTERS TO ONSLOW CRANLEY,

Lord Lieutenant of the county of Surry; on the subject of the late excellent PROCLAMATION :—*or the* CHAIRMAN *who shall preside at the meeting to be held at Epsom, June 18.*

FIRST LETTER.

LONDON, June 17th, 1792.

SIR,

I HAVE seen in the public newspapers the following advertisement, to wit—

"To the Nobility, Gentry, Clergy, Freeholders, and other Inhabitants of the county of Surry.

"At the requisition and desire of several of the freeholders of the county, I am, in the absence of the Sheriff, to desire the favour of your attendance, at a meeting to be held at Epsom, on Monday, the 18th instant, at 12 o'clock at noon, to consider of an humble address to his MAJESTY, to express our grateful approbation of his MAJESTY'S paternal, and well-timed attendance to the public welfare, in his late most gracious Proclamation against the enemies of our happy Constitution.

(Signed.) ONSLOW CRANLEY."

Taking it for granted, that the aforesaid advertisement, equally as obscure as the proclamation to which it refers, has nevertheless some meaning, and is intended to effect some purpose; and as a prosecution (whether wisely or unwisely, justly or unjustly) is already commenced against a work intitled RIGHTS OF MAN, of which I have the honour and happiness to be the author; I feel it necessary to address this letter to you, and to request that it may be read publicly to the gentlemen who shall meet at Epsom in consequence of the advertisement.

The work now under prosecution is, I conceive, the same work which is intended to be suppressed by the aforesaid proclamation. Admitting this to be the case, the gentlemen of the county of Surry are called upon by somebody to condemn a work, and they are at the same time forbidden by the proclamation to know what that work is; and they are further called upon to give their aid and assistance to prevent other people from knowing it also. It is therefore necessary that the author, for his own justification, as well as to prevent the gentlemen who shall meet from being imposed upon by misrepresentation, should give some outlines of the principles and plans which that work contains.

The work, Sir, in question, contains, first, an investigation of general principles of government.

It also distinguishes government into two classes or systems, the one the hereditary system; the other the representative system; and it compares these two systems with each other.

It shews that what is called hereditary government cannot exist as a matter of right; because hereditary government always means a government yet to come; and the case always is, that those who are to live afterwards have always the same right to establish a government for themselves as the people who had lived before them.

It also shews the defect to which hereditary government is unavoidably subject: that it must, from the nature of it, throw government into the hands of men totally unworthy of it from the want of principle, and unfitted for it from want of capacity. James II. and many others are recorded in the English history as proofs of the former of those cases, and instances are to be found all over Europe to prove the truth of the latter.

It then shews that the representative system is the only true system of government; that it is also the only system under which the liberties of any people can be permanently secure; and, further, that it is the only one that can continue the same equal probability at all times of admitting of none but men properly qualified, both by principles and

abilities, into government, and of excluding such as are otherwise.

The work shews also, by plans and calculations not hitherto denied nor controverted, not even by the prosecution that is commenced, that the taxes now existing may be reduced at least six millions, that taxes may be entirely taken off from the poor, who are computed at one third of the nation; and that taxes on the other two thirds may be considerably reduced; that the aged poor may be comfortably provided for, and the children of poor families properly educated; that fifteen thousand soldiers, and the same number of sailors, may be allowed three shillings per week during life out of the surplus taxes; and also that a proportionate allowance may be made to the officers, and the pay of the remaining soldiers and sailors be raised; and that it is better to apply the surplus taxes to those purposes, than to consume them on lazy and profligate placemen and pensioners; and that the revenue, said to be twenty thousand pounds per annum, raised by a tax upon coals, and given to the Duke of Richmond, is a gross imposition upon all the people of London, and ought to be instantly abolished.

This, Sir, is a concise abstract of the principles and plans contained in the work that is now prosecuted, and for the suppression of which the proclamation appears to be intended; but as it is impossible that I can, in the compass of a letter, bring into view all the matters contained in the work, and as it is proper that the gentlemen who may compose that meeting should kuow what the merits or demerits of it are, before they come to any resolutions, either directly or indirectly relating thereto, I request the honour of presenting them with one hundred copies of the second part of the Rights of Man, and also one thousand copies of my letter to Mr. Dundas, which I have directed to be sent to Epsom for that purpose; and I beg the favour of the Chairman to take the trouble of presenting them to the gentlemen who shall meet on that occasion, with my sincere wishes for their happiness, and for that of the nation in general.

Having now closed thus much of the subject of my letter, I next come to speak of what has relation to me personally. I am well aware of the delicacy that attends it, but the purpose of calling the meeting appears to me so inconsistent with that justice that is always due between man and man, that it is proper I should (as well on account of the gentlemen who may meet, as on my own account) explain myself fully and candidly thereon.

I have already informed the gentlemen, that a prosecution is commenced against a work of which I have the honour and happiness to be the author; and I have good reasons for believing that the proclamation which the gentlemen are called to consider, and to present an address upon, is purposely calculated to give an impression to the jury before whom that matter is to come. In short, that it is dictating a verdict by proclamation; and I consider the instigators of the meeting to be held at Epsom, as aiding and abetting the same improper, and, in my opinion, illegal purpose, and that in a manner very artfully contrived, as I shall now shew.

Had a meeting been called of the Freeholders of the county of Middlesex, the gentlemen who had composed that meeting would have rendered themselves objectionable as persons to serve on a Jury, before whom the judicial case was afterwards to come. But by calling a meeting out of the county of Middlesex, that matter is artfully avoided, and the gentlemen of Surry are summoned, as if it were intended thereby to give a tone to the sort of verdict which the instigators of the meeting no doubt wish should be brought in, and to give countenance to the Jury in so doing.

I am, sir,
With much respect to the
Gentlemen who shall meet,
Their and your obedient and humble Servant,
THOMAS PAINE.

TO ONSLOW CRANLEY,

COMMONLY CALLED LORD ONSLOW.

SECOND LETTER.

SIR, LONDON, June 21, 1792.

WHEN I wrote you the letter which Mr. Horne Tooke did me the favour to present to you, as chairman of the meeting held at Epsom, Monday, June 18, it was not with much expectation that you would do me the justice of permitting, or recommending it to be publicly read. I am well aware that the signature of Thomas Paine has something in it dreadful to sinecure Placemen and Pensioners; and when you, on seeing the letter opened, informed the meeting that it was signed Thomas Paine, and added in a note of exclamation, "the common enemy of us all," you spoke one of the greatest truths you ever uttered, if you confine the expression to men of the same description with yourself; men living in indolence and luxury, on the spoil and labours of the public.

The letter has since appeared in the "Argus," and probably in other papers.[1] It will justify itself; but if any thing on that account hath been wanting, your conduct at the meeting would have supplied the omission. You there sufficiently proved that I was not mistaken in supposing that the meeting was called to give an indirect aid to the prosecution commenced against a work, the reputation of which will long outlive the memory of the Pensioner I am writing to.

When meetings, Sir, are called by the partisans of the Court, to preclude the nation the right of investigating systems and principles of government, and of exposing errors and defects, under the pretence of prosecuting an individual —it furnishes an additional motive for maintaining sacred that violated right.

The principles and arguments contained in the work in question, RIGHTS OF MAN, have stood, and they now stand, and I believe ever will stand, unrefuted. They are stated in a fair and open manner to the world, and they have already received the public approbation of a greater number of men,

[1] The *Argus* was edited by Sampson Perry, soon after prosecuted.—*Editor.*

of the best of characters, of every denomination of religion, and of every rank in life, (placemen and pensioners excepted,) than all the juries that shall meet in England, for ten years to come, will amount to; and I have, moreover, good reasons for believing that the approvers of that work, as well private as public, are already more numerous than all the present electors throughout the nation.

Not less than forty pamphlets, intended as answers thereto, have appeared, and as suddenly disappeared: scarcely are the titles of any of them remembered, notwithstanding their endeavours have been aided by all the daily abuse which the Court and Ministerial newspapers, for almost a year and a half, could bestow, both upon the work and the author; and now that every attempt to refute, and every abuse has failed, the invention of calling the work a libel has been hit upon, and the discomfited party has pusillanimously retreated to prosecution and a jury, and obscure addresses.

As I well know that a long letter from me will not be agreeable to you, I will relieve your uneasiness by making it as short as I conveniently can; and will conclude it with taking up the subject at that part where Mr. HORNE TOOKE was interrupted from going on when at the meeting.

That gentleman was stating, that the situation you stood in rendered it improper for you to appear *actively* in a scene in which your private interest was too visible: that you were a Bedchamber Lord at a thousand a year, and a Pensioner at three thousand pounds a year more—and here he was stopped by the little but noisy circle you had collected round. Permit me then, Sir, to add an explanation to his words, for the benefit of your neighbours, and with which, and a few observations, I shall close my letter.

When it was reported in the English Newspapers, some short time since, that the empress of RUSSIA had given to one of her minions a large tract of country and several thousands of peasants as property, it very justly provoked indignation and abhorrence in those who heard it. But if we compare the mode practised in England, with that which appears to us so abhorrent in Russia, it will be found to amount to very near the same thing;—for example—

As the whole of the revenue in England is drawn by taxes from the pockets of the people, those things called gifts and grants (of which kind are all pensions and sinecure places) are paid out of that stock. The difference, therefore, between the two modes is, that in England the money is collected by the government, and then given to the Pensioner, and in Russia he is left to collect it for himself. The smallest sum which the poorest family in a county so near London as Surry, can be supposed to pay annually, of taxes, is not less than five pounds; and as your sinecure of one thousand, and pension of three thousand per annum, are made up of taxes paid by eight hundred such poor families, it comes to the same thing as if the eight hundred families had been given to you, as in Russia, and you had collected the money on your account. Were you to say that you are not quartered particularly on the people of Surrey, but on the nation at large, the objection would amount to nothing; for as there are more pensioners than counties, every one may be considered as quartered on that in which he lives.

What honour or happiness you can derive from being the PRINCIPAL PAUPER of the neighbourhood, and occasioning a greater expence than the poor, the aged, and the infirm, for ten miles round you, I leave you to enjoy. At the same time I can see that it is no wonder you should be strenuous in suppressing a book which strikes at the root of those abuses. No wonder that you should be against reforms, against the freedom of the press, and the right of investigation. To you, and to others of your description, these are dreadful things; but you should also consider, that the motives which prompt you to *act*, ought, by reflection, to compel you to be *silent*.

Having now returned your compliment, and sufficiently tired your patience, I take my leave of you, with mentioning, that if you had not prevented my former letter from being read at the meeting, you would not have had the trouble of reading this; and also with requesting, that the next time you call me "*a common enemy*," you would add, "*of us sinecure placemen and pensioners.*"

I am, Sir, &c. &c. &c. THOMAS PAINE.

VII.

TO THE

SHERIFF OF THE COUNTY OF SUSSEX,

OR,

THE GENTLEMAN WHO SHALL PRESIDE AT THE MEETING TO BE HELD AT LEWES, JULY 4.

LONDON, June 30, 1792.

SIR,

I HAVE seen in the Lewes newspapers, of June 25, an advertisement, signed by sundry persons, and also by the sheriff, for holding a meeting at the Town-hall of Lewes, for the purpose, as the advertisement states, of presenting an Address on the late Proclamation for suppressing writings, books, &c. And as I conceive that a certain publication of mine, entitled "Rights of Man," in which, among other things, the enormous increase of taxes, placemen, and pensioners, is shewn to be unnecessary and oppressive, *is the particular writing alluded to in the said publication;* I request the Sheriff, or in his absence, whoever shall preside at the meeting, or any other person, to read this letter publicly to the company who shall assemble in consequence of that advertisement.

GENTLEMEN—It is now upwards of eighteen years since I was a resident inhabitant of the town of Lewes. My situation among you, as an officer of the revenue, for more than six years, enabled me to see into the numerous and various distresses which the weight of taxes even at that time of day occasioned; and feeling, as I then did, and as it is natural for me to do, for the hard condition of others, it is with

pleasure I can declare, and every person then under my survey, and now living, can witness, the exceeding candour, and even tenderness, with which that part of the duty that fell to my share was executed. The name of *Thomas Paine* is not to be found in the records of the Lewes' justices, in any one act of contention with, or severity of any kind whatever towards, the persons whom he surveyed, either in the town, or in the country; of this, *Mr. Fuller* and *Mr. Shelley*, who will probably attend the meeting, can, if they please, give full testimony. It is, however, not in their power to contradict it.

Having thus indulged myself in recollecting a place where I formerly had, and even now have, many friends, rich and poor, and most probably some enemies, I proceed to the more important purport of my letter.

Since my departure from Lewes, fortune or providence has thrown me into a line of action, which my first setting out into life could not possibly have suggested to me.

I have seen the fine and fertile country of America ravaged and deluged in blood, and the taxes of England enormously increased and multiplied in consequence thereof; and this, in a great measure, by the instigation of the same class of placemen, pensioners, and Court dependants, who are now promoting addresses throughout England, on the present *unintelligible* Proclamation.

I have also seen a system of Government rise up in that country, free from corruption, and now administered over an extent of territory ten times as large as England, *for less expence than the pensions alone in England amount to;* and under which more freedom is enjoyed, and a more happy state of society is preserved, and a more general prosperity is promoted, than under any other system of Government now existing in the world. Knowing, as I do, the things I now declare, I should reproach myself with want of duty and affection to mankind, were I not in the most undismayed manner to publish them, as it were, on the house-tops, for the good of others.

Having thus glanced at what has passed within my knowl-

edge, since my leaving Lewes, I come to the subject more immediately before the meeting now present.

Mr. Edmund Burke, who, as I shall show, in a future publication, has lived a concealed pensioner, at the expence of the public, of fifteen hundred pounds per annum, for about ten years last past, published a book the winter before last, in open violation of the principles of liberty, and for which he was applauded by that class of men *who are now promoting addresses.* Soon after his book appeared, I published the first part of the work, entitled "Rights of Man," as an answer thereto, and had the happiness of receiving the public thanks of several bodies of men, and of numerous individuals of the best character, of every denomination in religion, and of every rank in life—placemen and pensioners excepted.

In February last, I published the Second Part of "Rights of Man," and as it met with still greater approbation from the true friends of national freedom, and went deeper into the system of Government, and exposed the abuses of it, more than had been done in the First Part, it consequently excited an alarm among all those, who, insensible of the burthen of taxes which the general mass of the people sustain, are living in luxury and indolence, and hunting after Court preferments, sinecure places, and pensions, either for themselves, or for their family connections.

I have shewn in that work, that the taxes may be reduced at least *six millions*, and even then the expences of Government in England would be twenty times greater than they are in the country I have already spoken of. That taxes may be entirely taken off from the poor, by remitting to them in money at the rate of between *three and four pounds* per head per annum, for the education and bringing up of the children of the poor families, who are computed at one third of the whole nation, and *six pounds* per annum to all poor persons, decayed tradesmen, or others, from the age of fifty until sixty, and *ten pounds* per annum from after sixty. And that in consequence of this allowance, to be paid out of the surplus taxes, the poor-rates would become unnecessary, and that it is better to apply the surplus taxes to these

beneficent purposes, *than to waste them on idle and profligate courtiers, placemen, and pensioners.*

These, gentlemen, are a part of the plans and principles contained in the work, which this meeting is now called upon, in an indirect manner, to vote an address against, and brand with the name of *wicked* and *seditious*. But that the work may speak for itself, I request leave to close this part of my letter with an extract therefrom, in the following words: [*Quotation the same as that on p. 26.*]

Gentlemen, I have now stated to you such matters as appear necessary to me to offer to the consideration of the meeting. I have no other interest in what I am doing, nor in writing you this letter, than the interest of the *heart*. I consider the proposed address as calculated to give countenance to placemen, pensioners, enormous taxation, and corruption. Many of you will recollect, that whilst I resided among you, there was not a man more firm and open in supporting the principles of liberty than myself, and I still pursue, and ever will, the same path.

I have, Gentlemen, only one request to make, which is—that those who have called the meeting will speak *out*, and say, whether in the address they are going to present against publications, which the proclamation calls wicked, they mean the work entitled *Rights of Man*, or whether they do not?

I am, Gentlemen,
With sincere wishes for your happiness,
Your friend and Servant,
THOMAS PAINE.

VIII.

TO MR. SECRETARY DUNDAS.

CALAIS, Sept. 15, 1792.

SIR,

I CONCEIVE it necessary to make you acquainted with the following circumstance:—The department of Calais having elected me a member of the National Convention of France, I set off from London the 13th instant, in company with Mr. Frost, of Spring Garden, and Mr. Audibert, one of the municipal officers of Calais, who brought me the certificate of my being elected. We had not arrived more, I believe, than five minutes at the York Hotel, at Dover, when the train of circumstances began that I am going to relate. We had taken our baggage out of the carriage, and put it into a room, into which we went. Mr. Frost, having occasion to go out, was stopped in the passage by a gentleman, who told him he must return into the room, which he did, and the gentleman came in with him, and shut the door. I had remained in the room; Mr. Audibert was gone to inquire when the packet was to sail. The gentleman then said, that he was collector of the customs, and had an information against us, and must examine our baggage for prohibited articles. He produced his commission as Collector. Mr. Frost demanded to see the information, which the Collector refused to shew, and continued to refuse, on every demand that we made. The Collector then called in several other officers, and began first to search our pockets. He took from Mr. Audibert, who was then returned into the room, every thing he found in his pocket, and laid it on the table. He then searched Mr. Frost in the same manner, (who, among other things, had the keys of the trunks in his

pocket,) and then did the same by me. Mr. Frost wanting to go out, mentioned it, and was going towards the door; on which the Collector placed himself against the door, and said, nobody should depart the room. After the keys had been taken from Mr. Frost, (for I had given him the keys of my trunks beforehand, for the purpose of his attending the baggage to the customs, if it should be necessary,) the Collector asked us to open the trunks, presenting us the keys for that purpose; this we declined to do, unless he would produce his information, which he again refused. The Collector then opened the trunks himself, and took out every paper and letter, sealed or unsealed. On our remonstrating with him on the bad policy, as well as the illegality, of Custom-House officers seizing papers and letters, which were things that did not come under their cognizance, he replied, that the *Proclamation* gave him the authority.

Among the letters which he took out of my trunk, were two sealed letters, given into my charge by the American Minister in London [Pinckney], one of which was directed to the American Minister at Paris [Gouverneur Morris], the other to a private gentleman; a letter from the President of the United States, and a letter from the Secretary of State in America, both directed to me, and which I had received from the American Minister, now in London, and were private letters of friendship; a letter from the electoral body of the Department of Calais, containing the notification of my being elected to the National Convention; and a letter from the President of the National Assembly, informing me of my being also elected for the Department of the Oise.

As we found that all remonstrances with the Collector, on the bad policy and illegality of seizing papers and letters, and retaining our persons by force, under the pretence of searching for prohibited articles, were vain, (for he justified himself on the Proclamation, and on the information which he refused to shew,) we contented ourselves with assuring him, that what he was then doing, he would afterwards have to answer for, and left it to himself to do as he pleased.

It appeared to us that the Collector was acting under the direction of some other person or persons, then in the hotel, but whom he did not choose we should see, or who did not choose to be seen by us; for the Collector went several times out of the room for a few minutes, and was also called out several times.

When the Collector had taken what papers and letters he pleased out of the trunks, he proceeded to read them. The first letter he took up for this purpose was that from the President of the United States to me. While he was doing this, I said, that it was very extraordinary that General Washington could not write a letter of private friendship to me, without its being subject to be read by a custom-house officer. Upon this Mr. Frost laid his hand over the face of the letter, and told the Collector that he should not read it, and took it from him. Mr. Frost then, casting his eyes on the concluding paragraph of the letter, said, I will read this part to you, which he did; of which the following is an exact transcript—

"And as no one can feel a greater interest in the happiness of mankind than I do, it is the first wish of my heart, that the enlightened policy of the present age may diffuse to all men those blessings to which they are entitled, and lay the foundation of happiness for future generations."[1]

As all the other letters and papers lay then on the table, the Collector took them up, and was going out of the room with them. During the transactions already stated, I contented myself with observing what passed, and spoke but little; but on seeing the Collector going out of the room with the letters, I told him that the papers and letters then in his hand were either belonging to me, or entrusted to my charge, and that as I could not permit them to be out of my sight, I must insist on going with him.

The Collector then made a list of the letters and papers, and went out of the room, giving the letters and papers into

[1] Washington's letter is dated 6 May, 1792. See my *Life of Paine*, vol. i., p. 302.—*Editor.*

the charge of one of the officers. He returned in a short time, and, after some trifling conversation, chiefly about the Proclamation, told us, that he saw *the Proclamation was ill-founded*, and asked if we chose to put the letters and papers into the trunks ourselves, which, as we had not taken them out, we declined doing, and he did it himself, and returned us the keys.

In stating to you these matters, I make no complaint against the personal conduct of the Collector, or of any of the officers. Their manner was as civil as such an extraordinary piece of business could admit of.

My chief motive in writing to you on this subject is, that you may take measures for preventing the like in future, not only as it concerns private individuals, but in order to prevent a renewal of those unpleasant consequences that have heretofore arisen between nations from circumstances equally as insignificant. I mention this only for myself; but as the interruption extended to two other gentlemen, it is probable that they, as individuals, will take some more effectual mode for redress.

I am, Sir, yours, &c.

THOMAS PAINE.

P. S. Among the papers seized, was a copy of the Attorney-General's information against me for publishing the *Rights of Man*, and a printed proof copy of my Letter to the Addressers, which will soon be published.

IX.

LETTER ADDRESSED TO THE ADDRESSERS ON THE LATE PROCLAMATION.[1]

COULD I have commanded circumstances with a wish, I know not of any that would have more generally promoted the progress of knowledge, than the late Proclamation, and the numerous rotten Borough and Corporation Addresses thereon. They have not only served as advertisements, but they have excited a spirit of enquiry into principles of government, and a desire to read the RIGHTS OF MAN, in places where that spirit and that work were before unknown.

The people of England, wearied and stunned with parties, and alternately deceived by each, had almost resigned the prerogative of thinking. Even curiosity had expired, and a universal languor had spread itself over the land. The opposition was visibly no other than a contest for power, whilst the mass of the nation stood torpidly by as the prize.

In this hopeless state of things, the First Part of the RIGHTS OF MAN made its appearance. It had to combat with a strange mixture of prejudice and indifference; it stood exposed to every species of newspaper abuse; and besides this, it had to remove the obstructions which Mr. Burke's rude and outrageous attack on the French Revolution had artfully raised.

But how easy does even the most illiterate reader dis-

[1] The Royal Proclamation issued against seditious writings, May 21st. This pamphlet, the proof of which was read in Paris (see P. S. of preceding chapter), was published at 1*s.* 6*d.* by H. D. Symonds, Paternoster Row, and Thomas Clio Rickman, 7 Upper Marylebone Street (where it was written), both publishers being soon after prosecuted.—*Editor.*

tinguish the spontaneous sensations of the heart, from the laboured productions of the brain. Truth, whenever it can fully appear, is a thing so naturally familiar to the mind, that an acquaintance commences at first sight. No artificial light, yet discovered, can display all the properties of daylight; so neither can the best invented fiction fill the mind with every conviction which truth begets.

To overthrow Mr. Burke's fallacious book was scarcely the operation of a day. Even the phalanx of Placemen and Pensioners, who had given the tone to the multitude, by clamouring forth his political fame, became suddenly silent; and the final event to himself has been, that as he rose like a rocket, he fell like the stick.

It seldom happens, that the mind rests satisfied with the simple detection of error or imposition. Once put in motion, *that* motion soon becomes accelerated; where it had intended to stop, it discovers new reasons to proceed, and renews and continues the pursuit far beyond the limits it first prescribed to itself. Thus it has happened to the people of England. From a detection of Mr. Burke's incoherent rhapsodies, and distorted facts, they began an enquiry into the first principles of Government, whilst himself, like an object left far behind, became invisible and forgotten.

Much as the First Part of RIGHTS OF MAN impressed at its first appearance, the progressive mind soon discovered that it did not go far enough. It detected errors; it exposed absurdities; it shook the fabric of political superstition; it generated new ideas; but it did not produce a regular system of principles in the room of those which it displaced. And, if I may guess at the mind of the Government-party, they beheld it as an unexpected gale that would soon blow over, and they forbore, like sailors in threatening weather, to whistle, lest they should encrease the wind. Every thing, on their part, was profound silence.

When the Second Part of *Rights of Man, combining Principle and Practice*, was preparing to appear, they affected, for a while, to act with the same policy as before; but finding their silence had no more influence in stifling the prog-

ress of the work, than it would have in stopping the progress of time, they changed their plan, and affected to treat it with clamorous contempt. The Speech-making Placemen and Pensioners, and Place-expectants, in both Houses of Parliament, the *Outs* as well as the *Ins*, represented it as a silly, insignificant performance; as a work incapable of producing any effect; as something which they were sure the good sense of the people would either despise or indignantly spurn; but such was the overstrained awkwardness with which they harangued and encouraged each other, that in the very act of declaring their confidence they betrayed their fears.

As most of the rotten Borough Addressers are obscured in holes and corners throughout the country, and to whom a newspaper arrives as rarely as an almanac, they most probably have not had the opportunity of knowing how far this part of the farce (the original prelude to all the Addresses) has been acted. For *their* information, I will suspend a while the more serious purpose of my Letter, and entertain them with two or three Speeches in the last Session of Parliament, which will serve them for politics till Parliament meets again.

You must know, Gentlemen, that the Second Part of the RIGHTS OF MAN (the book against which you have been presenting Addresses, though it is most probable that many of you did not know it) was to have come out precisely at the time that Parliament last met. It happened not to be published till a few days after. But as it was very well known that the book would shortly appear, the parliamentary Orators entered into a very cordial coalition to cry the book down, and they began their attack by crying up the *blessings* of the Constitution.

Had it been your fate to have been there, you could not but have been moved at the heart-and-pocket-felt congratulations that passed between all the parties on this subject of *blessings;* for the *Outs* enjoy places and pensions and sinecures as well as the *Ins*, and are as devoutly attached to the firm of the house.

One of the most conspicuous of this motley groupe, is the Clerk of the Court of King's Bench, who calls himself Lord Stormont. He is also called Justice General of Scotland, and Keeper of Scoon, (an opposition man,) and he draws from the public for these nominal offices, not less, as I am informed, than six thousand pounds a-year, and he is, most probably, at the trouble of counting the money, and signing a receipt, to shew, perhaps, that he is qualified to be Clerk as well as Justice. He spoke as follows.*

"That *we* shall *all* be unanimous in expressing *our* attachment to the constitution of these realms, *I am confident.* It is a subject upon which there can be *no* divided opinion *in this house.* I do not pretend to be deep read in the knowledge of the Constitution, but *I take upon me* to say, that from the extent of *my* knowledge [*for I have so many thousands a year for nothing*] it appears to *me*, that from the period of the Revolution, for it was by no means created then, it has been, both in *theory* and *practice*, the *wisest* system that ever was formed. I never was [he means he never was *till now*] a dealer in *political cant.* My life has not been occupied in *that way*, but the speculations of late years *seem to have taken a turn, for which I cannot account.* When I came into public life, the political pamphlets of the time, however they might be charged with the heat and violence of parties, were agreed in extolling the radical beauties of the Constitution itself. I remember [*he means he has forgotten*] a most captivating eulogium on its *charms*, by Lord Bolingbroke, where he recommends his readers to contemplate it in all its aspects, with the assurance that it would be found more estimable the more it was *seen.* I do *not recollect* his precise words, but I wish that men who write upon these subjects would take *this for their model*, instead of the political pamphlets, which, I am told, are now in circulation, [such, I suppose, as *Rights of Man*,] pamphlets which I have *not read*, and whose purport I know only by *report*, [he means, perhaps, by the *noise* they make.] This, however, I am sure, that pamphlets tending to unsettle the public reverence for the *constitution*, will have very little influence. They can do very little harm—for [*by the bye, he is no dealer in political cant*] *the English are a sober-thinking people, and are more intelligent, more solid, more steady in*

* See his speech in the Morning Chronicle of Feb. 1.—*Author.*

their opinions, than any people I ever had the fortune to see. [This is pretty well laid on, though, for a new beginner.] But if there should ever come a time when the propagation of those doctrines should agitate the public mind, I am *sure* for *every one* of your Lordships, that no attack will be made on the constitution, from which it is *truly said* that *we* derive *all our* prosperity, without raising *every one* of your Lordships to its support. It will then be found that there is no difference among *us*, but that *we* are *all* determined to *stand* or *fall* together, in defence of the inestimable system "—of places and pensions.

After Stormont, on the opposition side, sat down, up rose *another noble Lord*, on the ministerial side, *Grenville*. This man ought to be as strong in the back as a mule, or the *sire* of a mule, or it would crack with the weight of places and offices. He rose, however, without feeling any incumbrance, full master of his weight; and thus said *this* noble Lord to *t'other* noble Lord!

"The *patriotic* and *manly* manner in which the noble Lord has declared *his* sentiments on the subject of the constitution, demands *my cordial* approbation. The noble Viscount has *proved*, that however we may differ on *particular measures*, amidst all the jars and dissonance of *parties*, we are unanimous in *principle*. There is a *perfect* and *entire consent* [between *us*] in the love and maintenance of the constitution as *happily subsisting*. It must *uudoubtedly* give your Lordships *concern*, to find that the *time is come* [heigh ho!] when there is *propriety* in the expressions of regard TO [o! o! o!] THE CONSTITUTION. And that there are men [confound—their—po-li-tics] who disseminate doctrines *hostile* to the *genuine spirit* of our *well balanced system*, [it is certainly well balanced when both sides hold places and pensions at once.] I agree with the noble viscount that they have not [I hope] *much success*. I am convinced that there is no danger to be apprehended from their attempts: but it is *truly* important and *consolatory* [to us placemen, I suppose] to know, that if ever there should arise a serious alarm, there is but one *spirit*, *one sense*, [and that sense I presume is not *common sense*] and *one* determination in *this* house"—which undoubtedly is to hold all their places and pensions as long as they can.

Both those speeches (except the parts enclosed in parenthesis, which are added for the purpose of *illustration*) are copied *verbatim* from the Morning Chronicle of the 1st of February last; and when the situation of the speakers is considered, the one in the opposition, and the other in the ministry, and both of them living at the public expence, by sinecure, or nominal places and offices, it required a very unblushing front to be able to deliver them. Can those men seriously suppose any nation to be so completely blind as not to see through them? Can Stormont imagine that the *political cant*, with which he has larded his harangue, will conceal the craft? Does he not know that there never was a cover large enough to hide *itself?* Or can Grenville believe that his credit with the public encreases with his avarice for places?

But, if these orators will accept a service from me, in return for the allusions they have made to the *Rights of Man*, I will make a speech for either of them to deliver, on the excellence of the constitution, that shall be as much to the purpose as what they have spoken, or as *Bolingbroke's captivating eulogium.* Here it is.

"That we shall all be unanimous in expressing our attachment to the constitution, I am confident. It is, my Lords, incomprehensibly good: but the great wonder of all is the wisdom; for it is, my lords, *the wisest system that ever was formed.*

"With respect to us, noble Lords, though the world does not know it, it is very well known to us, that we have more wisdom than we know what to do with; and what is still better, my Lords, we have it all in stock. I defy your Lordships to prove, that a tittle of it has been used yet; and if we but go on, my Lords, with the frugality we have hitherto done, we shall leave to our heirs and successors, when we go out of the world, the whole stock of wisdom, *untouched*, that we brought in; and there is no doubt but they will follow our example. This, my lords, is one of the blessed effects of the hereditary system; for we can never be without wisdom so long as we keep it by us, and do not use it.

"But, my Lords, as all this wisdom is hereditary property, for the sole benefit of us and our heirs, and it is necessary that the

people should know where to get a supply for their own use, the excellence of our constitution has provided us a King for this very purpose, and for *no other*. But, my Lords, I perceive a defect to which the constitution is subject, and which I propose to remedy by bringing a bill into Parliament for that purpose.

"The constitution, my Lords, out of delicacy, I presume, has left it as a matter of *choice* to a King whether he will be wise or not. It has not, I mean, my Lords, insisted upon it as a constitutional point, which, I conceive it ought to have done; for I pledge myself to your Lordships to prove, and that with *true patriotic boldness*, that he has *no choice in the matter*. This bill, my Lords, which I shall bring in, will be to declare, that the constitution, according to the true intent and meaning thereof, does not invest the King with this choice; our ancestors were too wise to do that; and, in order to prevent any doubts that might otherwise arise, I shall prepare, my Lords, an enacting clause, to fix the wisdom of Kings by act of Parliament; and then, my Lords our Constitution will be the wonder of the world!

"Wisdom, my lords, is the one thing needful: but that there may be no mistake in this matter, and that we may proceed consistently with the true wisdom of the constitution, I shall propose a *certain criterion* whereby the *exact quantity of wisdom* necessary for a King may be known. [Here should be a cry of, Hear him! Hear him!]

"It is recorded, my Lords, in the Statutes at Large of the Jews, 'a book, my Lords, which I have not read, and whose purport I know only by report,' *but perhaps the bench of Bishops can recollect something about it*, that Saul gave the most convincing proofs of royal wisdom before he was made a King, *for he was sent to seek his father's asses and he could not find them.*

"Here, my Lords, we have, most happily for us, a case in point: This precedent ought to be established by act of Parliament; and every King, before he be crowned, should be sent to seek his father's asses, and if he cannot find them, he shall be declared wise enough to be King, according to the true meaning of our excellent constitution. All, therefore, my Lords, that will be necessary to be done, by the enacting clause that I shall bring in, will be to invest the King beforehand with the quantity of wisdom necessary for this purpose, lest he should happen not to possess it; and this, my Lords, we can do without making use of any of our own.

"We further read, my Lords, in the said Statutes at Large of the Jews, that Samuel, who certainly was as mad as any Man-of-Rights-Man now-a-days (hear him! hear him!), was highly displeased, and even exasperated, at the proposal of the Jews to have a King, and he warned them against it with all that assurance and impudence of which he was master. I have been, my Lords, at the trouble of going all the way to *Paternoster-row*, to procure an extract from the printed copy. I was told that I should meet with it there, or in *Amen-corner*, for I was then going, my Lords, to rummage for it among the curiosities of the *Antiquarian Society*. I will read the extracts to your Lordships, to shew how little Samuel knew of the matter.

"The extract, my Lords, is from 1 Sam. chap. viii.:

"'And Samuel told all the words of the Lord unto the people that asked of him a King.

"'And he said, this will be the manner of the King that shall reign over you: he will take your sons, and appoint them for himself, for his chariots, and to be his horsemen; and some shall run before his chariots.

"'And he will appoint him captains over thousands, and captains over fifties, and will set them to ear his ground, and to reap his harvest, and to make his instruments of war, and instruments of his chariots.

"'And he will take your daughters to be confectionaries, and to be cooks, and to be bakers.

"'And he will take your fields, and your vineyards, and your olive-yards, even the best of them, and give them to his servants.

"'And he will take the tenth of your seed, and of your vineyards, and give to his officers and to his servants.

"'And he will take your men-servants, and your maid-servants, and your goodliest young men, and your asses, and put them to his work.

"'And he will take the tenth of your sheep, and ye shall be his servants.

"'And ye shall cry out in that day, because of your King, which ye shall have chosen you; and the Lord will not hear you in that day.'

"Now, my Lords, what can we think of this man Samuel? Is there a word of truth, or any thing like truth, in all that he has said? He pretended to be a prophet, or a wise man, but has not

the event proved him to be a fool, or an incendiary? Look around, my Lords, and see if any thing has happened that he pretended to foretell! Has not the most profound peace reigned throughout the world ever since Kings were in fashion? Are not, for example, the present Kings of Europe the most peaceable of mankind, and the Empress of Russia the very milk of human kindness? It would not be worth having Kings, my Lords, if it were not that they never go to war.

"If we look at home, my Lords, do we not see the same things here as are seen every where else? Are our young men taken to be horsemen, or foot soldiers, any more than in Germany or in Prussia, or in Hanover or in Hesse? Are not our sailors as safe at land as at sea? Are they ever dragged from their homes, like oxen to the slaughter-house, to serve on board ships of war? When they return from the perils of a long voyage with the merchandize of distant countries, does not every man sit down under his own vine and his own fig-tree, in perfect security? Is the tenth of our seed taken by tax-gatherers, or is any part of it given to the King's servants? In short, *is not everything as free from taxes as the light from Heaven!* [1]

"Ah! my Lords, do we not see the blessed effect of having Kings in every thing we look at? Is not the G. R., or the broad R., stampt upon every thing? Even the shoes, the gloves, and the hats that we wear, are enriched with the impression, and all our candles blaze a burnt-offering.

"Besides these blessings, my Lords, that cover us from the sole of the foot to the crown of the head, do we not see a race of youths growing up to be Kings, who are the very paragons of virtue? There is not one of them, my Lords, but might be trusted with untold gold, as safely as the other. Are they not '*more sober, intelligent, more solid, more steady*,' and withal, more learned, more wise, more every thing, than any youths *we* '*ever had the fortune to see*.' Ah! my Lords, they are a *hopeful family*.

"The blessed prospect of succession, which the nation has at this moment before its eyes, is a most undeniable proof of the excellence of our constitution, and of the blessed hereditary system; for nothing, my Lords, but a constitution founded on the truest and purest wisdom could admit such heaven-born and heaven-taught characters into the government.—Permit me now,

[1] Allusion to the window-tax.—*Editor.*

my Lords, to recal your attention to the libellous chapter I have just read about Kings. I mention this, my Lords, because it is my intention to move for a bill to be brought into parliament to expunge that chapter from the Bible, and that the Lord Chancellor, with the assistance of the Prince of Wales, the Duke of York, and the Duke of Clarence, be requested to write a chapter in the room of it; and that Mr. Burke do see that it be truly canonical, and faithfully inserted."—FINIS.

If the Clerk of the Court of King's Bench should chuse to be the orator of this luminous encomium on the constitution, I hope he will get it well by heart before he attempts to deliver it, and not have to apologize to Parliament, as he did in the case of Bolingbroke's encomium, for forgetting his lesson; and, with this admonition I leave him.

Having thus informed the Addressers of what passed at the meeting of Parliament, I return to take up the subject at the part where I broke off in order to introduce the preceding speeches.

I was then stating, that the first policy of the Government party was silence, and the next, clamorous contempt; but as people generally choose to read and judge for themselves, the work still went on, and the affectation of contempt, like the silence that preceded it, passed for nothing.

Thus foiled in their second scheme, their evil genius, like a will-with-a-wisp, led them to a third; when all at once, as if it had been unfolded to them by a fortune-teller, or Mr. Dundas had discovered it by second sight, this once harmless, insignificant book, without undergoing the alteration of a single letter, became a most wicked and dangerous Libel. The whole Cabinet, like a ship's crew, became alarmed; all hands were piped upon deck, as if a conspiracy of elements was forming around them, and out came the Proclamation and the Prosecution; and Addresses supplied the place of prayers.

Ye silly swains, thought I to myself, why do you torment yourselves thus? The RIGHTS OF MAN is a book calmly and rationally written; why then are you so disturbed? Did you see how little or how suspicious such conduct makes

you appear, even cunning alone, had you no other faculty, would hush you into prudence. The plans, principles, and arguments, contained in that work, are placed before the eyes of the nation, and of the world, in a fair, open, and manly manner, and nothing more is necessary than to refute them. Do this, and the whole is done; but if ye cannot, so neither can ye suppress the reading, nor convict the author; for the Law, in the opinion of all good men, would convict itself, that should condemn what cannot be refuted.

Having now shown the Addressers the several stages of the business, prior to their being called upon, like Cæsar in the Tyber, crying to Cassius, "*help, Cassius, or I sink!*" I next come to remark on the policy of the Government, in promoting Addresses; on the consequences naturally resulting therefrom; and on the conduct of the persons concerned.

With respect to the policy, it evidently carries with it every mark and feature of disguised fear. And it will hereafter be placed in the history of extraordinary things, that a pamphlet should be produced by an individual, unconnected with any sect or party, and not seeking to make any, and almost a stranger in the land, that should compleatly frighten a whole Government, and that in the midst of its most triumphant security. Such a circumstance cannot fail to prove, that either the pamphlet has irresistible powers, or the Government very extraordinary defects, or both. The nation exhibits no signs of fear at the Rights of Man; why then should the Government, unless the interest of the two are really opposite to each other, and the secret is beginning to be known? That there are two distinct classes of men in the nation, those who pay taxes, and those who receive and live upon the taxes, is evident at first sight; and when taxation is carried to excess, it cannot fail to disunite those two, and something of this kind is now beginning to appear.

It is also curious to observe, amidst all the fume and bustle about Proclamations and Addresses, kept up by a few noisy and interested men, how little the mass of the nation seem to care about either. They appear to me, by the indifference they shew, not to believe a word the Proclamation

contains; and as to the Addresses, they travel to London with the silence of a funeral, and having announced their arrival in the Gazette, are deposited with the ashes of their predecessors, and Mr. Dundas writes their *hic jacet*.

One of the best effects which the Proclamation, and its echo the Addresses have had, has been that of exciting and spreading curiosity; and it requires only a single reflection to discover, that the object of all curiosity is knowledge. When the mass of the nation saw that Placemen, Pensioners, and Borough-mongers, were the persons that stood forward to promote Addresses, it could not fail to create suspicions that the public good was not their object; that the character of the books, or writings, to which such persons obscurely alluded, not daring to mention them, was directly contrary to what they described them to be, and that it was necessary that every man, for his own satisfaction, should exercise his proper right, and read and judge for himself.

But how will the persons who have been induced to read the *Rights of Man*, by the clamour that has been raised against it, be surprized to find, that, instead of a wicked, inflammatory work, instead of a licencious and profligate performance, it abounds with principles of government that are uncontrovertible—with arguments which every reader will feel, are unanswerable—with plans for the increase of commerce and manufactures—for the extinction of war—for the education of the children of the poor—for the comfortable support of the aged and decayed persons of both sexes—for the relief of the army and navy, and, in short, for the promotion of every thing that can benefit the moral, civil, and political condition of Man.

Why, then, some calm observer will ask, why is the work prosecuted, if these be the goodly matters it contains? I will tell thee, friend; it contains also a plan for the reduction of Taxes, for lessening the immense expences of Government, for abolishing sinecure Places and Pensions; and it proposes applying the redundant taxes, that shall be saved by these reforms, to the purposes mentioned in the former paragraph, instead of applying them to the support of idle and profligate Placemen and Pensioners.

Is it, then, any wonder that Placemen and Pensioners, and the whole train of Court expectants, should become the promoters of Addresses, Proclamations, and Prosecutions? or, is it any wonder that Corporations and rotten Boroughs, which are attacked and exposed, both in the First and Second Parts of *Rights of Man*, as unjust monopolies and public nuisances, should join in the cavalcade? Yet these are the sources from which Addresses have sprung. Had not such persons come forward to oppose the *Rights of Man*, I should have doubted the efficacy of my own writings: but those opposers have now proved to me that the blow was well directed, and they have done it justice by confessing the smart.

The principal deception in this business of Addresses has been, that the promoters of them have not come forward in their proper characters. They have assumed to pass themselves upon the public as a part of the Public, bearing a share of the burthen of Taxes, and acting for the public good; whereas, they are in general that part of it that adds to the public burthen, by living on the produce of the public taxes. They are to the public what the locusts are to the tree: the burthen would be less, and the prosperity would be greater, if they were shaken off.

"I do not come here," said ONSLOW, at the Surry County meeting, "as the Lord Lieutenant and Custos Rotulorum of the county, but I come here as a plain country gentleman." The fact is, that he came there as what he was, and as no other, and consequently he came as one of the beings I have been describing. If it be the character of a gentleman to be fed by the public, as a pauper is by the parish, Onslow has a fair claim to the title; and the same description will suit the Duke of Richmond, who led the Address at the Sussex meeting. He also may set up for a gentleman.

As to the meeting in the next adjoining county (Kent), it was a scene of disgrace. About two hundred persons met, when a small part of them drew privately away from the rest, and voted an Address: the consequence of which was that they got together by the ears, and produced a riot in the very act of producing an Address to prevent Riots.

That the Proclamation and the Addresses have failed of their intended effect, may be collected from the silence which the Government party itself observes. The number of addresses has been weekly retailed in the Gazette; but the number of Addressers has been concealed. Several of the Addresses have been voted by not more than ten or twelve persons; and a considerable number of them by not more than thirty. The whole number of Addresses presented at the time of writing this letter is three hundred and twenty, (rotten Boroughs and Corporations included) and even admitting, on an average, one hundred Addressers to each address, the whole number of addressers would be but thirty-two thousand, and nearly three months have been taken up in procuring this number. That the success of the Proclamation has been less than the success of the work it was intended to discourage, is a matter within my own knowledge; for a greater number of the cheap edition of the First and Second Parts of the RIGHTS OF MAN has been sold in the space only of one month, than the whole number of Addressers (admitting them to be thirty-two thousand) have amounted to in three months.

It is a dangerous attempt in any government to say to a Nation, "*thou shalt not read.*" This is now done in Spain, and was formerly done under the old Government of France; but it served to procure the downfall of the latter, and is subverting that of the former; and it will have the same tendency in all countries; because *thought* by some means or other, is got abroad in the world, and cannot be restrained, though reading may.

If *Rights of Man* were a book that deserved the vile description which the promoters of the Address have given of it, why did not these men prove their charge, and satisfy the people, by producing it, and reading it publicly? This most certainly ought to have been done, and would also have been done, had they believed it would have answered their purpose. But the fact is, that the book contains truths which those time-servers dreaded to hear, and dreaded that the people should know; and it is now following up the

Addresses in every part of the nation, and convicting them of falsehoods.

Among the unwarrantable proceedings to which the Proclamation has given rise, the meetings of the Justices in several of the towns and counties ought to be noticed. Those men have assumed to re-act the farce of General Warrants, and to suppress, by their own authority, whatever publications they please. This is an attempt at power equalled only by the conduct of the minor despots of the most despotic governments in Europe, and yet those Justices affect to call England a Free Country. But even this, perhaps, like the scheme for garrisoning the country by building military barracks, is necessary to awaken the country to a sense of its Rights, and, as such, it will have a good effect.

Another part of the conduct of such Justices has been, that of threatening to take away the licences from taverns and public-houses, where the inhabitants of the neighbourhood associated to read and discuss the principles of Government, and to inform each other thereon. This, again, is similar to what is doing in Spain and Russia; and the reflection which it cannot fail to suggest is, that the principles and conduct of any Government must be bad, when that Government dreads and startles at discussion, and seeks security by a prevention of knowledge.

If the Government, or the Constitution, or by whatever name it be called, be that miracle of perfection which the Proclamation and the Addresses have trumpeted it forth to be, it ought to have defied discussion and investigation, instead of dreading it. Whereas, every attempt it makes, either by Proclamation, Prosecution, or Address, to suppress investigation, is a confession that it feels itself unable to bear it. It is error only, and not truth, that shrinks from enquiry. All the numerous pamphlets, and all the newspaper falsehood and abuse, that have been published against the RIGHTS OF MAN, have fallen before it like pointless arrows; and, in like manner, would any work have fallen before the Constitution, had the Constitution, as it is called,

been founded on as good political principles as those on which the RIGHTS OF MAN is written.

It is a good Constitution for courtiers, placemen, pensioners, borough-holders, and the leaders of Parties, and these are the men that have been the active leaders of Addresses; but it is a bad Constitution for at least ninety-nine parts of the nation out of an hundred, and this truth is every day making its way.

It is bad, first, because it entails upon the nation the unnecessary expence of supporting three forms and systems of Government at once, namely, the monarchical, the aristocratical, and the democratical.

Secondly, because it is impossible to unite such a discordant composition by any other means than perpetual corruption; and therefore the corruption so loudly and so universally complained of, is no other than the natural consequence of such an unnatural compound of Governments; and in this consists that excellence which the numerous herd of placemen and pensioners so loudly extol, and which at the same time, occasions that enormous load of taxes under which the rest of the nation groans.

Among the mass of national delusions calculated to amuse and impose upon the multitude, the standing one has been that of flattering them into taxes, by calling the Government (or as they please to express it, the English Constitution) "*the envy and the admiration of the world.*" Scarcely an Address has been voted in which some of the speakers have not uttered this hackneyed nonsensical falsehood.

Two Revolutions have taken place, those of America and France; and both of them have rejected the unnatural compounded system of the English government. America has declared against all hereditary Government, and established the representative system of Government only. France has entirely rejected the aristocratical part, and is now discovering the absurdity of the monarchical, and is approaching fast to the representative system. On what ground then, do these men continue a declaration, respecting what they call the *envy and admiration of other nations*, which the vol-

untary practice of such nations, as have had the opportunity of establishing Government, contradicts and falsifies. Will such men never confine themselves to truth? Will they be for ever the deceivers of the people?

But I will go further, and shew, that were Government now to begin in England, the people could not be brought to establish the same system they now submit to.

In speaking on this subject (or on any other) *on the pure ground of principle*, antiquity and precedent cease to be authority, and hoary-headed error loses its effect. The reasonableness and propriety of things must be examined abstractedly from custom and usage; and, in this point of view, the right which grows into practice to-day is as much a right, and as old in principle and theory, as if it had the customary sanction of a thousand ages. Principles have no connection with time, nor characters with names.

To say that the Government of this country is composed of King, Lords, and Commons, is the mere phraseology of custom. It is composed of men; and whoever the men be to whom the Government of any country is intrusted, they ought to be the best and wisest that can be found, and if they are not so, they are not fit for the station. A man derives no more excellence from the change of a name, or calling him King, or calling him Lord, than I should do by changing my name from Thomas to George, or from Paine to Guelph. I should not be a whit more able to write a book because my name was altered; neither would any man, now called a King or a lord, have a whit the more sense than he now has, were he to call himself Thomas Paine.

As to the word "Commons," applied as it is in England, it is a term of degradation and reproach, and ought to be abolished. It is a term unknown in free countries.

But to the point.—Let us suppose that Government was now to begin in England, and that the plan of Government, offered to the nation for its approbation or rejection, consisted of the following parts:

First—That some one individual should be taken from all the rest of the nation, and to whom all the rest should swear

obedience, and never be permitted to sit down in his presence, and that they should give to him one million sterling a year.—That the nation should never after have power or authority to make laws but with his express consent; and that his sons and his sons' sons, whether wise or foolish, good men or bad, fit or unfit, should have the same power, and also the same money annually paid to them for ever.

Secondly—That there should be two houses of Legislators to assist in making laws, one of which should, in the first instance, be entirely appointed by the aforesaid person, and that their sons and their sons' sons, whether wise or foolish, good men or bad, fit or unfit, should for ever after be hereditary Legislators.

Thirdly—That the other house should be chosen in the same manner as the house now called the House of Commons is chosen, and should be subject to the controul of the two aforesaid hereditary Powers in all things.

It would be impossible to cram such a farrago of imposition and absurdity down the throat of this or any other nation that was capable of reasoning upon its rights and its interest.

They would ask, in the first place, on what ground of right, or on what principle, such irrational and preposterous distinctions could, or ought to be made; and what pretensions any man could have, or what services he could render, to entitle him to a million a-year? They would go farther, and revolt at the idea of consigning their children, and their children's children, to the domination of persons hereafter to be born, who might, for any thing they could foresee, turn out to be knaves or fools; and they would finally discover, that the project of hereditary Governors and Legislators *was a treasonable usurpation over the rights of posterity.* Not only the calm dictates of reason, and the force of natural affection, but the integrity of manly pride, would impel men to spurn such proposals.

From the grosser absurdities of such a scheme, they would extend their examination to the practical defects—They would soon see that it would end in tyranny accomplished

by fraud. That in the operation of it, it would be two to one against them, because the two parts that were to be made hereditary would form a common interest, and stick to each other; and that themselves and representatives would become no better than hewers of wood and drawers of water for the other parts of the Government.—Yet call one of those powers King, the other Lords, and the third the Commons, and it gives the model of what is called the English Government.

I have asserted, and have shewn, both in the First and Second Parts of *Rights of Man*, that there is not such a thing as an English Constitution, and that the people have yet a Constitution to form. *A Constitution is a thing antecedent to a Government; it is the act of a people creating a Government and giving it powers, and defining the limits and exercise of the powers so given.* But whenever did the people of England, acting in their original constituent character, by a delegation elected for that express purpose, declare and say, "*We, the people of this land, do constitute and appoint this to be our system and form of Government.*" The Government has assumed to constitute itself, but it never was constituted by the people, in whom alone the right of constituting resides.

I will here recite the preamble to the Federal Constitution of the United States of America. I have shewn in the Second Part of *Rights of Man*, the manner by which the Constitution was formed and afterwards ratified; and to which I refer the reader. The preamble is in the following words:

"WE, THE PEOPLE, of the United States, in order to form a more perfect union, establish justice, insure domestic tranquillity, provide for common defence, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity, DO ORDAIN AND ESTABLISH THIS CONSTITUTION for the United States of America."

Then follow the several articles which appoint the manner in which the several component parts of the Government, legislative and executive, shall be elected, and the period of their

duration, and the powers they shall have: also, the manner by which future additions, alterations, or amendments, shall be made to the constitution. Consequently, every improvement that can be made in the science of government, follows in that country as a matter of order. It is only in Governments founded on assumption and false principles, that reasoning upon, and investigating systems and principles of Government, and shewing their several excellencies and defects, are termed libellous and seditious. These terms were made part of the charge brought against Locke, Hampden, and Sydney, and will continue to be brought against all good men, so long as bad government shall continue.

The Government of this country has been ostentatiously giving challenges for more than an hundred years past, upon what it called its own excellence and perfection. Scarcely a King's Speech, or a Parliamentary Speech, has been uttered, in which this glove has not been thrown, till the world has been insulted with their challenges. But it now appears that all this was vapour and vain boasting, or that it was intended to conceal abuses and defects, and hush the people into taxes. I have taken the challenge up, and in behalf of the public have shewn, in a fair, open, and candid manner, both the radical and practical defects of the system; when, lo! those champions of the Civil List have fled away, and sent the Attorney-General to deny the challenge, by turning the acceptance of it into an attack, and defending their Places and Pensions by a prosecution.

I will here drop this part of the subject, and state a few particulars respecting the prosecution now pending, by which the Addressers will see that they have been used as tools to the prosecuting party and their dependents. The case is as follows:

The original edition of the First and Second Parts of the RIGHTS OF MAN, having been expensively printed, (in the modern stile of printing pamphlets, that they might be bound up with Mr. Burke's Reflections on the French Revolution,) the high price [1] precluded the generality of people

[1] Half a crown.—*Editor.*

from purchasing; and many applications were made to me from various parts of the country to print the work in a cheaper manner. The people of Sheffield requested leave to print two thousand copies for themselves, with which request I immediately complied. The same request came to me from Rotherham, from Leicester, from Chester, from several towns in Scotland; and Mr. James Mackintosh, author of *Vindiciæ Gallicæ*, brought me a request from Warwickshire, for leave to print ten thousand copies in that county. I had already sent a cheap edition to Scotland; and finding the applications increase, I concluded that the best method of complying therewith, would be to print a very numerous edition in London, under my own direction, by which means the work would be more perfect, and the price be reduced lower than it could be by *printing* small editions in the country, of only a few thousands each.

The cheap edition of the first part was begun about the first of last April, and from that moment, and not before, I expected a prosecution, and the event has proved that I was not mistaken. I had then occasion to write to Mr. Thomas Walker of Manchester, and after informing him of my intention of giving up the work for the purpose of general information, I informed him of what I apprehended would be the consequence; that while the work was at a price that precluded an extensive circulation, the government party, not able to controvert the plans, arguments, and principles it contained, had chosen to remain silent; but that I expected they would make an attempt to deprive the mass of the nation, and especially the poor, of the right of reading, by the pretence of prosecuting either the Author or the Publisher, or both. They chose to begin with the Publisher.

Nearly a month, however, passed, before I had any information given me of their intentions. I was then at Bromley, in Kent, upon which I came immediately to town, (May 14) and went to Mr. Jordan, the publisher of the original edition. He had that evening been served with a summons to appear at the Court of King's Bench, on the

Monday following, but for what purpose was not stated. Supposing it to be on account of the work, I appointed a meeting with him on the next morning, which was accordingly had, when I provided an attorney, and took the expence of the defence on myself. But finding afterwards that he absented himself from the attorney employed, and had engaged another, and that he had been closeted with the Solicitors of the Treasury, I left him to follow his own choice, and he chose to plead Guilty. This he might do if he pleased; and I make no objection against him for it. I believe that his idea by the word *Guilty*, was no other than declaring himself to be the publisher, without any regard to the merits or demerits of the work; for were it to be construed otherwise, it would amount to the absurdity of converting a publisher into a Jury, and his confession into a verdict upon the work itself. This would be the highest possible refinement upon packing of Juries.

On the 21st of May, they commenced their prosecution against me, as the author, by leaving a summons at my lodgings in town, to appear at the Court of King's Bench on the 8th of June following; and on the same day, (May 21,) *they issued also their Proclamation.* Thus the Court of St. James and the Court of King's Bench, were playing into each other's hands at the same instant of time, and the farce of Addresses brought up the rear; and this mode of proceeding is called by the prostituted name of Law. Such a thundering rapidity, after a ministerial dormancy of almost eighteen months, can be attributed to no other cause than their having gained information of the forwardness of the cheap Edition, and the dread they felt at the progressive increase of political knowledge.

I was strongly advised by several gentlemen, as well those in the practice of the law, as others, to prefer a bill of indictment against the publisher of the Proclamation, as a publication tending to influence, or rather to dictate the verdict of a Jury on the issue of a matter then pending; but it appeared to me much better to avail myself of the opportunity which such a precedent justified me in using,

by meeting the Proclamation and the Addressers on their own ground, and publicly defending the Work which had been thus unwarrantably attacked and traduced.—And conscious as I now am, that the Work entitled RIGHTS OF MAN so far from being, as has been maliciously or erroneously represented, a false, wicked, and seditious libel, is a work abounding with unanswerable truths, with principles of the purest morality and benevolence, and with arguments not to be controverted—Conscious, I say, of these things, and having no object in view but the happiness of mankind, I have now put the matter to the best proof in my power, by giving to the public a cheap edition of the First and Second Parts of that Work. Let every man read and judge for himself, not only of the merits and demerits of the Work, but of the matters therein contained, which relate to his own interest and happiness.

If, to expose the fraud and imposition of monarchy, and every species of hereditary government—to lessen the oppression of taxes—to propose plans for the education of helpless infancy, and the comfortable support of the aged and distressed—to endeavour to conciliate nations to each other—to extirpate the horrid practice of war—to promote universal peace, civilization, and commerce—and to break the chains of political superstition, and raise degraded man to his proper rank;—if these things be libellous, let me live the life of a Libeller, and let the name of LIBELLER be engraved on my tomb.

Of all the weak and ill-judged measures which fear, ignorance, or arrogance could suggest, the Proclamation, and the project for Addresses, are two of the worst. They served to advertise the work which the promoters of those measures wished to keep unknown; and in doing this they offered violence to the judgment of the people, by calling on them to condemn what they forbad them to know, and put the strength of their party to that hazardous issue that prudence would have avoided.—The County Meeting for Middlesex was attended by only one hundred and eighteen Addressers. They, no doubt, expected, that thousands

would flock to their standard, and clamor against the *Rights of Man.* But the case most probably is, that men in all countries, are not so blind to their Rights and their Interest as Governments believe.

Having thus shewn the extraordinary manner in which the Government party commenced their attack, I proceed to offer a few observations on the prosecution, and on the mode of trial by Special Jury.

In the first place, I have written a book; and if it cannot be refuted, it cannot be condemned. But I do not consider the prosecution as particularly levelled against me, but against the general right, or the right of every man, of investigating systems and principles of government, and shewing their several excellencies or defects. If the press be free only to flatter Government, as Mr. Burke has done, and to cry up and extol what certain Court sycophants are pleased to call a "glorious Constitution," and not free to examine into its errors or abuses, or whether a Constitution really exist or not, such freedom is no other than that of Spain, Turkey, or Russia; and a Jury in this case, would not be a Jury to try, but an Inquisition to condemn.

I have asserted, and by fair and open argument maintained, the right of every nation at all times to establish such a system and form of government for itself as best accords with its disposition, interest, and happiness; and to change and alter it as it sees occasion. Will any Jury deny to the Nation this right? If they do, they are traitors, and their verdict would be null and void. And if they admit the right, the means must be admitted also; for it would be the highest absurdity to say, that the right existed, but the means did not. The question then is, What are the means by which the possession and exercise of this National Right are to be secured? The answer will be, that of maintaining, inviolably, the right of free investigation; for investigation always serves to detect error, and to bring forth truth.

I have, as an individual, given my opinion upon what I believe to be not only the best, but the true system of

Government, which is the representative system, and I have given reasons for that opinion.

First, Because in the representative system, no office of very extraordinary power, or extravagant pay, is attached to any individual; and consequently there is nothing to excite those national contentions and civil wars with which countries under monarchical governments are frequently convulsed, and of which the History of England exhibits such numerous instances.

Secondly, Because the representative is a system of Government always in maturity; whereas monarchical government fluctuates through all the stages, from non-age to dotage.

Thirdly, Because the representative system admits of none but men properly qualified into the Government, or removes them if they prove to be otherwise. Whereas, in the hereditary system, a nation may be encumbered with a knave or an ideot for a whole life-time, and not be benefited by a successor.

Fourthly, Because there does not exist a right to establish hereditary government, or, in other words, hereditary successors, because hereditary government always means a government yet to come, and the case always is, that those who are to live afterwards have the same right to establish government for themselves, as the people had who lived before them; and, therefore, all laws attempting to establish hereditary government, are founded on assumption and political fiction.

If these positions be truths, and I challenge any man to prove the contrary; if they tend to instruct and enlighten mankind, and to free them from error, oppression, and political superstition, which are the objects I have in view in publishing them, that Jury would commit an act of injustice to their country, and to me, if not an act of perjury, that should call them *false*, *wicked*, and *malicious*.

Dragonetti, in his treatise "On Virtues and Rewards," has a paragraph worthy of being recorded in every country in the world—"The science (says he,) of the politician, con-

sists, in fixing the true point of happiness and freedom. Those men deserve the gratitude of ages who should discover a mode of government that contained the greatest sum of *individual happiness* with the least *national expence*." But if Juries are to be made use of to prohibit enquiry, to suppress truth, and to stop the progress of knowledge, this boasted palladium of liberty becomes the most successful instrument of tyranny.

Among the arts practised at the Bar, and from the Bench, to impose upon the understanding of a Jury, and to obtain a Verdict where the consciences of men could not otherwise consent, one of the most successful has been that of calling *truth a libel*, and of insinuating that the words "*falsely*, *wickedly*, and *maliciously*," though they are made the formidable and high sounding part of the charge, are not matters of consideration with a Jury. For what purpose, then, are they retained, unless it be for that of imposition and wilful defamation?

I cannot conceive a greater violation of order, nor a more abominable insult upon morality, and upon human understanding, than to see a man sitting in the judgment seat, affecting by an antiquated foppery of dress to impress the audience with awe; then causing witnesses and Jury to be sworn to truth and justice, himself having officially sworn the same; then causing to be read a prosecution against a man charging him with having *wickedly and maliciously written and published a certain false, wicked, and seditious book;* and having gone through all this with a shew of solemnity, as if he saw the eye of the Almighty darting through the roof of the building like a ray of light, turn, in an instant, the whole into a farce, and, in order to obtain a verdict that could not otherwise be obtained, tell the Jury that the charge of *falsely, wickedly, and seditiously*, meant nothing; that *truth* was out of the question; and that whether the person accused spoke truth or falsehood, or intended *virtuously or wickedly*, was the same thing; and finally conclude the wretched inquisitorial scene, by stating some antiquated precedent, equally as abominable as that

which is then acting, or giving some opinion of his own, and *falsely calling the one and the other—Law.* It was, most probably, to such a Judge as this, that the most solemn of all reproofs was given—"*The Lord will smite thee, thou whitened wall.*"

I now proceed to offer some remarks on what is called a Special Jury. As to what is called a Special Verdict, I shall make no other remark upon it, than that it is in reality *not* a verdict. It is an attempt on the part of the Jury to delegate, or of the Bench to obtain, the exercise of that right, which is committed to the Jury only.

With respect to the Special Juries, I shall state such matters as I have been able to collect, for I do not find any uniform opinion concerning the mode of appointing them.

In the first place, this mode of trial is but of modern invention, and the origin of it, as I am told, is as follows:

Formerly, when disputes arose between Merchants, and were brought before a Court, the case was that the nature of their commerce, and the method of keeping Merchants' accounts not being sufficiently understood by persons out of their own line, it became necessary to depart from the common mode of appointing Juries, and to select such persons for a Jury whose *practical knowledge* would enable them to decide upon the case. From this introduction, Special Juries became more general; but some doubts having arisen as to their legality, an act was passed in the 3d of George II. to establish them as legal, and also to extend them to all cases, not only between individuals, but in cases where *the Government itself should be the prosecutor.* This most probably gave rise to the suspicion so generally entertained of packing a Jury; because, by this act, when the Crown, as it is called, is the Prosecutor, the Master of the Crown-office, who holds his office under the Crown, is the person who either wholly nominates, or has great power in nominating the Jury, and therefore it has greatly the appearance of the prosecuting party selecting a Jury.

The process is as follows:

On motion being made in Court, by either the Plaintiff

or Defendant, for a Special Jury, the Court grants it or not, at its own discretion.

If it be granted, the Solicitor of the party that applied for the Special Jury, gives notice to the Solicitor of the adverse party, and a day and hour are appointed for them to meet at the office of the Master of the Crown-office. The Master of the Crown-office sends to the Sheriff or his deputy, who attends with the Sheriff's book of Freeholders. From this book, forty-eight names are taken, and a copy thereof given to each of the parties; and, on a future day, notice is again given, and the Solicitors meet a second time, and each strikes out twelve names. The list being thus reduced from forty-eight to twenty-four, the first twelve that appear in Court, and answer to their names, is the Special Jury for that cause. The first operation, that of taking the forty-eight names, is called nominating the Jury; and the reducing them to twenty-four is called striking the Jury.

Having thus stated the general process, I come to particulars, and the first question will be, how are the forty-eight names, out of which the Jury is to be struck, obtained from the Sheriff's book? For herein lies the principal ground of suspicion, with respect to what is understood by packing of Juries.

Either they must be taken by some rule agreed upon between the parties, or by some common rule known and established beforehand, or at the discretion of some person, who in such a case, ought to be perfectly disinterested in the issue, as well officially as otherwise.

In the case of Merchants, and in all cases between individuals, the Master of the office, called the Crown-office, is officially an indifferent person, and as such may be a proper person to act between the parties, and present them with a list of forty-eight names, out of which each party is to strike twelve. But the case assumes an entire difference of character, when the Government itself is the Prosecutor. The Master of the Crown-office is then an officer holding his office under the Prosecutor; and it is therefore no wonder that the suspicion of packing Juries should, in such cases, have been so prevalent.

This will apply with additional force, when the prosecution is commenced against the Author or Publisher of such Works as treat of reforms, and of the abolition of superfluous places and offices, &c., because in such cases every person holding an office, subject to that suspicion, becomes interested as a party; and the office, called the Crown-office, may, upon examination, be found to be of this description.

I have heard it asserted, that the Master of the Crown-office is to open the sheriff's book as it were per hazard, and take thereout forty-eight *following* names, to which the word Merchant or Esquire is affixed. The former of these are certainly proper, when the case is between Merchants, and it has reference to the origin of the custom, and to nothing else. As to the word Esquire, every man is an Esquire who pleases to call himself Esquire; and the sensible part of mankind are leaving it off. But the matter for enquiry is, whether there be any existing law to direct the mode by which the forty-eight names shall be taken, or whether the mode be merely that of custom which the office has created; or whether the selection of the forty-eight names be wholly at the discretion and choice of the Master of the Crown-office? One or other of the two latter appears to be the case, because the act already mentioned, of the 3d of George II. lays down no rule or mode, nor refers to any preceding law—but says only, that Special Juries shall hereafter be struck, "*in such manner as Special Juries have been and are usually struck.*"

This act appears to have been what is generally understood by a "*deep take in.*" It was fitted to the spur of the moment in which it was passed, 3d of George II. when parties ran high, and it served to throw into the hands of Walpole, who was then Minister, the management of Juries in Crown prosecutions, by making the nomination of the forty-eight persons, from whom the Jury was to be struck, follow the precedent established by custom between individuals, and by this means slipt into practice with less suspicion. Now, the manner of obtaining Special Juries through the

medium of an officer of the Government, such, for instance, as a Master of the Crown-office, may be impartial in the case of Merchants or other individuals, but it becomes highly improper and suspicious in cases where the Government itself is one of the parties. And it must, upon the whole, appear a strange inconsistency, that a Government should keep one officer to commence prosecutions, and another officer to nominate the forty-eight persons from whom the Jury is to be struck, both of whom are *officers of the Civil List*, and yet continue to call this by the pompous name of *the glorious Right of trial by Jury!*

In the case of the King against Jordan, for publishing the RIGHTS OF MAN, the Attorney-General moved for the appointment of a Special Jury, and the Master of the Crown-office nominated the forty-eight persons himself, and took them from such part of the Sheriff's book as he pleased.

The trial did not come on, occasioned by Jordan withdrawing his plea; but if it had, it might have afforded an opportunity of discussing the subject of Special Juries; for though such discussion might have had no effect in the Court of King's Bench, it would, in the present disposition for enquiry, have had a considerable effect upon the Country; and, in all national reforms, this is the proper point to begin at. Put a Country right, and it will soon put Government right. Among the improper things acted by the Government in the case of Special Juries, on their own motion, one has been that of treating the Jury with a dinner, and afterwards giving each Juryman two guineas,if a verdict be found for the prosecution, and only one if otherwise; and it has been long observed, that, in London and Westminster, there are persons who appear to make a trade of serving, by being so frequently seen upon Special Juries.

Thus much for Special Juries. As to what is called a *Common Jury*, upon any Government prosecution against the Author or Publisher of RIGHTS OF MAN, during the time of the *present Sheriffry*, I have one question to offer, which is, *whether the present Sheriffs of London, having publicly prejudged the case, by the part they have taken in pro-*

curing an Address from the county of Middlesex, (however diminutive and insignificant the number of Addressers were, being only one hundred and eighteen,) are eligible or proper persons to be intrusted with the power of returning a Jury to try the issue of any such prosecution.

But the whole matter appears, at least to me, to be worthy of a more extensive consideration than what relates to any Jury, whether Special or Common; for the case is, whether any part of a whole nation, locally selected as a Jury of twelve men always is, be competent to judge and determine for the whole nation, on any matter that relates to systems and principles of Government, and whether it be not applying the institution of Juries to purposes for which such institutions were not intended? For example,

I have asserted, in the Work RIGHTS OF MAN, that as every man in the nation pays taxes, so has every man a right to a share in government, and consequently that the people of Manchester, Birmingham, Sheffield, Leeds, Halifax, &c. have the same right as those of London. Shall, then, twelve men, picked out between Temple-bar and Whitechapel, because the book happened to be first published there, decide upon the rights of the inhabitants of those towns, or of any other town or village in the nation?

Having thus spoken of Juries, I come next to offer a few observations on the matter contained in the information or prosecution.

The work, RIGHTS OF MAN, consists of Part the First, and Part the Second. The First Part the prosecutor has thought it most proper to let alone; and from the Second Part he has selected a few short paragraphs, making in the whole not quite two pages of the same printing as in the cheap edition. Those paragraphs relate chiefly to certain facts, such as the revolution of 1688, and the coming of George the First, commonly called of the House of Hanover, or the House of Brunswick, or some such House. The arguments, plans and principles contained in the work, the prosecutor has not ventured to attack. They are beyond his reach.

The Act which the prosecutor appears to rest most upon for the support of the prosecution, is the Act intituled, "An Act, declaring the rights and liberties of the subject, and settling the succession of the crown," passed in the first year of William and Mary, and more commonly known by the name of the "Bill of Rights."

I have called this bill "*A Bill of wrongs and of insult.*" My reasons, and also my proofs, are as follow:

The method and principle which this Bill takes for declaring rights and liberties, are in direct contradiction to rights and liberties; it is an assumed attempt to take them wholly from posterity—for the declaration in the said Bill is as follows:

"The Lords Spiritual and Temporal, and Commons, do, in *the name of all the people*, most humbly and faithfully *submit themselves, their heirs, and posterity for ever;*" that is, to William and Mary his wife, their heirs and successors. This is a strange way of declaring rights and liberties. But the Parliament who made this declaration in the name, and on the part, of the people, had no authority from them for so doing; and with respect to *posterity for ever*, they had no right or authority whatever in the case. It was assumption and usurpation. I have reasoned very extensively against the principle of this Bill, in the first part of Rights of Man; the prosecutor has silently admitted that reasoning, and he now commences a prosecution on the authority of the Bill, after admitting the reasoning against it.

It is also to be observed, that the declaration in this Bill, abject and irrational as it is, had no other intentional operation than against the family of the Stuarts, and their abettors. The idea did not then exist, that in the space of an hundred years, posterity might discover a different and much better system of government, and that every species of hereditary government might fall, as Popes and Monks had fallen before. This, I say, was not then thought of, and therefore the application of the Bill, in the present case, is a new, erroneous, and illegal application, and is the same as creating a new Bill *ex post facto.*

It has ever been the craft of Courtiers, for the purpose of keeping up an expensive and enormous Civil List, and a mummery of useless and antiquated places and offices at the public expence, to be continually hanging England upon some individual or other, called *King*, though the man might not have capacity to be a parish constable. The folly and absurdity of this, is appearing more and more every day; and still those men continue to act as if no alteration in the public opinion had taken place. They hear each other's nonsense, and suppose the whole nation talks the same Gibberish.

Let such men cry up the House of Orange, or the House of Brunswick, if they please. They would cry up any other house if it suited their purpose, and give as good reasons for it. But what is this house, or that house, or any other house to a nation? "*For a nation to be free, it is sufficient that she wills it.*" Her freedom depends wholly upon herself, and not on any house, nor on any individual. I ask not in what light this cargo of foreign houses appears to others, but I will say in what light it appears to me—It was like the trees of the forest, saying unto the bramble, come thou and reign over us.

Thus much for both their houses. I now come to speak of two other houses, which are also put into the information, and those are the House of Lords, and the House of Commons. Here, I suppose, the Attorney-General intends to prove me guilty of speaking either truth or falsehood; for, according to the modern interpretation of Libels, it does not signify which, and the only improvement necessary to shew the compleat absurdity of such doctrine, would be, to prosecute a man for uttering a most *false and wicked truth.*

I will quote the part I am going to give, from the Office Copy, with the Attorney General's inuendoes, enclosed in parentheses as they stand in the information, and I hope that civil list officer will caution the Court not to laugh when he reads them, and also to take care not to laugh himself.

The information states, that *Thomas Paine, being a wicked,*

malicious, seditious, and evil-disposed person, hath, with force and arms, and most wicked cunning, written and published a certain false, scandalous, malicious, and seditious libel; in one part thereof, to the tenor and effect following, that is to say—

"With respect to the two Houses, of which the English Parliament (*meaning the Parliament of this Kingdom*) is composed, they appear to be effectually influenced into one, and, as a Legislature, to have no temper of its own. The Minister, (*meaning the Minister employed by the King of this Realm, in the administration of the Government thereof,*) whoever he at any time may be, touches IT (*meaning the two Houses of Parliament of this Kingdom*) as with an opium wand, and IT (*meaning the two Houses of Parliament of this Kingdom*) sleeps obedience."

As I am not malicious enough to disturb their repose, though it be time they should awake, I leave the two Houses and the Attorney General, to the enjoyment of their dreams, and proceed to a new subject.

The Gentlemen, to whom I shall next address myself, are those who have stiled themselves "*Friends of the people*," holding their meeting at the Freemasons' Tavern, London.[1]

One of the principal Members of this Society, is Mr. Grey, who, I believe, is also one of the most independent Members in Parliament.[2] I collect this opinion from what Mr. Burke formerly mentioned to me, rather than from any knowledge of my own. The occasion was as follows:

I was in England at the time the bubble broke forth about Nootka Sound: and the day after the King's Message, as it is called, was sent to Parliament, I wrote a note to Mr. Burke, that upon the condition the French Revolution should not be a subject (for he was then writing the book

[1] See in the Introduction to this volume Chauvelin's account of this Association.—*Editor.*

[2] In the debate in the House of Commons, Dec. 14, 1792, Mr. Grey is thus reported: "Mr. Grey was not a friend to Paine's doctrines, but he was not to be deterred by a man from acknowledging that he considered the rights of man as the foundation of every government, and those who stood out against those rights as conspirators against the people." He severely denounced the Proclamation. *Parl. Hist.*, vol. xxvi.—*Editor.*

I have since answered) I would call on him the next day, and mention some matters I was acquainted with, respecting the affair; for it appeared to me extraordinary that any body of men, calling themselves Representatives, should commit themselves so precipitately, or "sleep obedience," as Parliament was then doing, and run a nation into expence, and perhaps a war, without so much as enquiring into the case, or the subject, of both which I had some knowledge.

When I saw Mr. Burke, and mentioned the circumstances to him, he particularly spoke of Mr. Grey, as the fittest Member to bring such matters forward; "for," said Mr. Burke, "*I am not the proper* person to do it, as I am in a treaty with Mr. Pitt about Mr. Hastings's trial." I hope the Attorney General will allow, that Mr. Burke was then *sleeping his obedience*.—But to return to the Society——

I cannot bring myself to believe, that the general motive of this Society is any thing more than that by which every former parliamentary opposition has been governed, and by which the present is sufficiently known. Failing in their pursuit of power and place within doors, they have now (and that in not a very mannerly manner) endeavoured to possess themselves of that ground out of doors, which, had it not been made by others, would not have been made by them. They appear to me to have watched, with more cunning than candour, the progress of a certain publication, and when they saw it had excited a spirit of enquiry, and was rapidly spreading, they stepped forward to profit by the opportunity, and Mr. Fox *then* called it a Libel. In saying this, he libelled himself. Politicians of this cast, such, I mean, as those who trim between parties, and lye by for events, are to be found in every country, and it never yet happened that they did not do more harm than good. They embarrass business, fritter it to nothing, perplex the people, and the event to themselves generally is, that they go just far enough to make enemies of the few, without going far enough to make friends of the many.

Whoever will read the declarations of this Society, of the 25th of April and 5th of May, will find a studied reserve

upon all the points that are real abuses. They speak not once of the extravagance of Government, of the abominable list of unnecessary and sinecure places and pensions, of the enormity of the Civil List, of the excess of taxes, nor of any one matter that substantially affects the nation; and from some conversation that has passed in that Society, it does not appear to me that it is any part of their plan to carry this class of reforms into practice. No Opposition Party ever did, when it gained possession.

In making these free observations, I mean not to enter into contention with this Society; their incivility towards me is what I should expect from place-hunting reformers. They are welcome, however, to the ground they have advanced upon, and I wish that every individual among them may act in the same upright, uninfluenced, and public spirited manner that I have done. Whatever reforms may be obtained, and by whatever means, they will be for the benefit of others and not of me. I have no other interest in the cause than the interest of my heart. The part I have acted has been wholly that of a volunteer, unconnected with party; and when I quit, it shall be as honourably as I began.

I consider the reform of Parliament, by an application to Parliament, as proposed by the Society, to be a worn-out hackneyed subject, about which the nation is tired, and the parties are deceiving each other. It is not a subject that is cognizable before Parliament, because no Government has a right to alter itself, either in whole or in part. The right, and the exercise of that right, appertains to the nation only, and the proper means is by a national convention, elected for the purpose, by all the people. By this, the will of the nation, whether to reform or not, or what the reform shall be, or how far it shall extend, will be known, and it cannot be known by any other means. Partial addresses, or separate associations, are not testimonies of the general will.

It is, however, certain, that the opinions of men, with respect to systems and principles of government, are changing fast in all countries. The alteration in England,

within the space of a little more than a year, is far greater than could have been believed, and it is daily and hourly increasing. It moves along the country with the silence of thought. The enormous expence of Government has provoked men to think, by making them feel; and the Proclamation has served to increase jealousy and disgust. To prevent, therefore, those commotions which too often and too suddenly arise from suffocated discontents, it is best that the general WILL should have the full and free opportunity of being publicly ascertained and known.

Wretched as the state of representation is in England, it is every day becoming worse, because the unrepresented parts of the nation are increasing in population and property, and the represented parts are decreasing. It is, therefore, no ill-grounded estimation to say, that as not one person in seven is represented, at least fourteen millions of taxes out of the seventeen millions, are paid by the unrepresented part; for although copyholds and leaseholds are assessed to the land-tax, the holders are unrepresented. Should then a general demur take place as to the obligation of paying taxes, on the ground of not being represented, it is not the Representatives of Rotten Boroughs, nor Special Juries, that can decide the question. This is one of the possible cases that ought to be foreseen, in order to prevent the inconveniencies that might arise to numerous individuals, by provoking it.

I confess I have no idea of petitioning for rights. Whatever the rights of people are, they have a right to them, and none have a right either to withhold them, or to grant them. Government ought to be established on such principles of justice as to exclude the occasion of all such applications, for wherever they appear they are virtually accusations.

I wish that Mr. Grey, since he has embarked in the business, would take the whole of it into consideration. He will then see that the right of reforming the state of the Representation does not reside in Parliament, and that the only motion he could consistently make would be, that Parliament should *recommend* the election of a convention of

the people, because all pay taxes. But whether Parliament recommended it or not, the right of the nation would neither be lessened nor increased thereby.

As to Petitions from the unrepresented part, they ought not to be looked for. As well might it be expected that Manchester, Sheffield, &c. should petition the rotten Boroughs, as that they should petition the Representatives of those Boroughs. Those two towns alone pay far more taxes than all the rotten Boroughs put together, and it is scarcely to be expected they should pay their court either to the Boroughs, or the Borough-mongers.

It ought also to be observed, that what is called Parliament, is composed of two houses that have always declared against the right of each other to interfere in any matter that related to the circumstances of either, particularly that of election. A reform, therefore, in the representation cannot, on the ground they have individually taken, become the subject of an act of Parliament, because such a mode would include the interference, against which the Commons on their part have protested; but must, as well on the ground of formality, as on that of right, proceed from a National Convention.

Let Mr. Grey, or any other man, sit down and endeavour to put his thoughts together, for the purpose of drawing up an application to Parliament for a reform of Parliament, and he will soon convince himself of the folly of the attempt. He will find that he cannot get on; that he cannot make his thoughts join, so as to produce any effect; for, whatever formality of words he may use, they will unavoidably include two ideas directly opposed to each other; the one in setting forth the reasons, the other in praying for relief, and the two, when placed together, would stand thus: "*The Representation in Parliament is so very corrupt, that we can no longer confide in it,—and, therefore, confiding in the justice and wisdom of Parliament, we pray,*" &c., &c.

The heavy manner in which every former proposed application to Parliament has dragged, sufficiently shews, that though the nation might not exactly see the awkwardness

of the measure, it could not clearly see its way, by those means. To this also may be added another remark, which is, that the worse Parliament is, the less will be the inclination to petition it. This indifference, viewed as it ought to be, is one of the strongest censures the public express. It is as if they were to say to them, "Ye are not worth reforming."

Let any man examine the Court-Kalendar of Placemen in both Houses, and the manner in which the Civil List operates, and he will be at no loss to account for this indifference and want of confidence on one side, nor of the opposition to reforms on the other.

Who would have supposed that Mr. Burke, holding forth as he formerly did against secret influence, and corrupt majorities, should become a concealed Pensioner? I will now state the case, not for the little purpose of exposing Mr. Burke, but to shew the inconsistency of any application to a body of men, more than half of whom, as far as the nation can at present know, may be in the same case with himself.

Towards the end of Lord North's administration, Mr. Burke brought a bill into Parliament, generally known by Mr. Burke's Reform Bill; in which, among other things, it is enacted, "That no pension exceeding the sum of three hundred pounds a year, shall be granted to any one person, and that the whole amount of the pensions granted in one year shall not exceed six hundred pounds; a list of which, together with the *names of the persons* to whom the same are granted, shall be laid before Parliament in twenty days after the beginning of each session, until the whole pension list shall be reduced to ninety thousand pounds." A provisory clause is afterwards added, "That it shall be lawful for the First Commissioner of the Treasury, to return into the Exchequer any pension or annuity, *without a name*, on his making oath that such pension or annuity is not directly or indirectly for the benefit, use, or behoof of any Member of the House of Commons."

But soon after that administration ended, and the party Mr. Burke acted with came into power, it appears from the circumstances I am going to relate, that Mr. Burke became

himself a Pensioner in disguise; in a similar manner as if a pension had been granted in the name of John Nokes, to be privately paid to and enjoyed by Tom Stiles. The name of Edmund Burke does not appear in the original transaction: but after the pension was obtained, Mr. Burke wanted to make the most of it at once, by selling or mortgaging it; and the gentleman in whose name the pension stands, applied to one of the public offices for that purpose. This unfortunately brought forth the name of *Edmund Burke*, as the real Pensioner of 1,500*l.* per annum.[1] When men trumpet forth what they call the blessings of the Constitution, it ought to be known what sort of blessings they allude to.

As to the Civil List of a million a year, it is not to be supposed that any one man can eat, drink, or consume the whole upon himself. The case is, that above half the sum is annually apportioned among Courtiers, and Court Members, of both Houses, in places and offices, altogether insignificant and perfectly useless as to every purpose of civil, rational, and manly government. For instance,

Of what use in the science and system of Government is what is called a Lord Chamberlain, a Master and Mistress of the Robes, a Master of the Horse, a Master of the Hawks, and one hundred other such things? Laws derive no additional force, nor additional excellence from such mummery.

In the disbursements of the Civil List for the year 1786, (which may be seen in Sir John Sinclair's History of the Revenue,) are four separate charges for this mummery office of Chamberlain:

1st, ...	38,778*l.*	17*s.*	—
2d, ...	3,000	—	—
3d, ...	24,069	19	—
4th, ...	10,000	18	3*d.*
	75,849*l.*	14*s.*	3*d.*

Besides 1,119*l.* charged for Alms.

From this sample the rest may be guessed at. As to the Master of the Hawks, (there are no hawks kept, and if there

[1] See note at the end of this chapter.—*Editor.*

were, it is no reason the people should pay the expence of feeding them, many of whom are put to it to get bread for their children,) his salary is 1,372*l.* 10*s.*

And besides a list of items of this kind, sufficient to fill a quire of paper, the Pension lists alone are 107,404*l.* 13*s.* 4*d.* which is a greater sum than all the expences of the federal Government in America amount to.

Among the items, there are two I had no expectation of finding, and which, in this day of enquiry after Civil List influence, ought to be exposed. The one is an annual payment of one thousand seven hundred pounds to the Dissenting Ministers in England, and the other, eight hundred pounds to those of Ireland.

This is the fact; and the distribution, *as I am informed*, is as follows: The whole sum of 1,700*l.* is paid to one person, a Dissenting Minister in London, who divides it among eight others, and those eight among such others as they please. The Lay-body of the Dissenters, and many of their principal Ministers, have long considered it as dishonourable, and have endeavoured to prevent it, but still it continues to be secretly paid; and as the world has sometimes seen very fulsome Addresses from parts of that body, it may naturally be supposed that the receivers, like Bishops and other Court-Clergy, are not idle in promoting them. How the money is distributed in Ireland, I know not.

To recount all the secret history of the Civil List, is not the intention of this publication. It is sufficient, in this place, to expose its general character, and the mass of influence it keeps alive. It will necessarily become one of the objects of reform; and therefore enough is said to shew that, under its operation, no application to Parliament can be expected to succeed, nor can consistently be made.

Such reforms will not be promoted by the Party that is in possession of those places, nor by the Opposition who are waiting for them; and as to a *mere reform*, in the state of the Representation, the idea that another Parliament, differently elected from the present, but still a third component part of the same system, and subject to the controul of the

other two parts, will abolish those abuses, is altogether delusion; because it is not only impracticable on the ground of formality, but is unwisely exposing another set of men to the same corruptions that have tainted the present.

Were all the objects that require reform accomplishable by a mere reform in the state of the Representation, the persons who compose the present Parliament might, with rather more propriety, be asked to abolish all the abuses themselves, than be applied to as the more instruments of doing it by a future Parliament. If the virtue be wanting to abolish the abuse, it is also wanting to act as the means, and the nation must, from necessity, proceed by some other plan.

Having thus endeavoured to shew what the abject condition of Parliament is, and the impropriety of going a second time over the same ground that has before miscarried, I come to the remaining part of the subject.

There ought to be, in the constitution of every country, a mode of referring back, on any extraordinary occasion, to the sovereign and original constituent power, which is the nation itself. The right of altering any part of a Government, cannot, as already observed, reside in the Government, or that Government might make itself what it pleased.

It ought also to be taken for granted, that though a nation may feel inconveniences, either in the excess of taxation, or in the mode of expenditure, or in any thing else, it may not at first be sufficiently assured in what part of its government the defect lies, or where the evil originates. It may be supposed to be in one part, and on enquiry be found to be in another; or partly in all. This obscurity is naturally interwoven with what are called mixed Governments.

Be, however, the reform to be accomplished whatever it may, it can only follow in consequence of obtaining a full knowledge of all the causes that have rendered such reform necessary, and every thing short of this is guess-work or frivolous cunning. In this case, it cannot be supposed that any application to Parliament can bring forward this knowl-

edge. That body is itself the supposed cause, or one of the supposed causes, of the abuses in question; and cannot be expected, and ought not to be asked, to give evidence against itself. The enquiry, therefore, which is of necessity the first step in the business, cannot be trusted to Parliament, but must be undertaken by a distinct body of men, separated from every suspicion of corruption or influence.

Instead, then, of referring to rotten Boroughs and absurd Corporations for Addresses, or hawking them about the country to be signed by a few dependant tenants, the real and effectual mode would be to come at once to the point, and to ascertain the sense of the nation by electing a National Convention. By this method, as already observed, the general WILL, whether to reform or not, or what the reform shall be, or how far it shall extend, will be known, and it cannot be known by any other means. Such a body, empowered and supported by the nation, will have authority to demand information upon all matters necessary to be enquired into; and no Minister, nor any person, will dare to refuse it. It will then be seen whether seventeen millions of taxes are necessary, and for what purposes they are expended. The concealed Pensioners will then be obliged to unmask; and the source of influence and corruption, if any such there be, will be laid open to the nation, not for the purpose of revenge, but of redress.

By taking this public and national ground, all objections against partial Addresses on the one side, or private associations on the other, will be done away; THE NATION WILL DECLARE ITS OWN REFORMS; and the clamour about Party and Faction, or Ins or Outs, will become ridiculous.

The plan and organization of a convention is easy in practice.

In the first place, the number of inhabitants in every county can be sufficiently ascertained from the number of houses assessed to the House and Window-light tax in each county. This will give the rule for apportioning the number of Members to be elected to the National Convention in each of the counties.

If the total number of inhabitants in England be seven millions, and the total number of Members to be elected to the Convention be one thousand, the number of members to be elected in a county containing one hundred and fifty thousand inhabitants will be *twenty-one*, and in like proportion for any other county.

As the election of a Convention must, in order to ascertain the general sense of the nation, go on grounds different from that of Parliamentary elections, the mode that best promises this end will have no difficulties to combat with from absurd customs and pretended rights. The right of every man will be the same, whether he lives in a city, a town, or a village. The custom of attaching Rights to *place*, or in other words, to inanimate matter, instead of to the *person*, independently of place, is too absurd to make any part of a rational argument.

As every man in the nation, of the age of twenty-one years, pays taxes, either out of the property he possesses, or out of the product of his labor, which is property to him; and is amenable in his own person to every law of the land; so has every one the same equal right to vote, and no one part of the nation, nor any individual, has a right to dispute the right of another. The man who should do this ought to forfeit the exercise of his *own* right, for a term of years. This would render the punishment consistent with the crime.

When a qualification to vote is regulated by years, it is placed on the firmest possible ground; because the qualification is such, as nothing but dying before the time can take away; and the equality of Rights, as a principle, is recognized in the act of regulating the exercise. But when Rights are placed upon, or made dependant upon property, they are on the most precarious of all tenures. "Riches make themselves wings, and fly away," and the rights fly with them; and thus they become lost to the man when they would be of most value.

It is from a strange mixture of tyranny and cowardice, that exclusions have been set up and continued. The bold-

ness to do wrong at first, changes afterwards into cowardly craft, and at last into fear. The Representatives in England appear now to act as if they were afraid to do right, even in part, lest it should awaken the nation to a sense of all the wrongs it has endured. This case serves to shew, that the same conduct that best constitutes the safety of an individual, namely, a strict adherence to principle, constitutes also the safety of a Government, and that without it safety is but an empty name. When the rich plunder the poor of his rights, it becomes an example to the poor to plunder the rich of his property; for the rights of the one are as much property to him, as wealth is property to the other, and the *little all* is as dear as the *much*. It is only by setting out on just principles that men are trained to be just to each other; and it will always be found, that when the rich protect the rights of the poor, the poor will protect the property of the rich. But the guarantee, to be effectual, must be parliamentarily reciprocal.

Exclusions are not only unjust, but they frequently operate as injuriously to the party who monopolizes, as to those who are excluded. When men seek to exclude others from participating in the exercise of any right, they should, at least, be assured, that they can effectually perform the whole of the business they undertake; for, unless they do this, themselves will be losers by the monopoly. This has been the case with respect to the monopolized right of Election. The monopolizing party has not been able to keep the Parliamentary Representation, to whom the power of taxation was entrusted, in the state it ought to have been, and have thereby multiplied taxes upon themselves equally with those who were excluded.

A great deal has been, and will continue to be said, about disqualifications, arising from the commission of offences; but were this subject urged to its full extent, it would disqualify a great number of the present Electors, together with their Representatives; for, of all offences, none are more destructive to the morals of Society than Bribery and Corruption. It is, therefore, civility to such persons to pass

this subject over, and to give them a fair opportunity of recovering, or rather of creating character.

Every thing, in the present mode of electioneering in England, is the reverse of what it ought to be, and the vulgarity that attends elections is no other than the natural consequence of inverting the order of the system.

In the first place, the Candidate seeks the Elector, instead of the Elector seeking for a Representative; and the Electors are advertised as being in the interest of the Candidate, instead of the Candidate being in the interest of the Electors. The Candidate pays the Elector for his vote, instead of the Nation paying the Representative for his time and attendance on public business. The complaint for an undue election is brought by the Candidate, as if he, and not the Electors, were the party aggrieved; and he takes on himself, at any period of the election, to break it up, by declining, as if the election was in his right and not in theirs.

The compact that was entered into at the last Westminster election between two of the candidates (Mr. Fox and Lord Hood,) was an indecent violation of the principles of election. The Candidates assumed, in their own persons, the rights of the Electors; for, it was only in the body of the Electors, and not at all in the Candidates, that the right of making any such compact, or compromise, could exist. But the principle of Election and Representation is so completely done away, in every stage thereof, that inconsistency has no longer the power of surprising.

Neither from elections thus conducted, nor from rotten Borough Addressers, nor from County-meetings, promoted by Placemen and Pensioners, can the sense of the nation be known. It is still corruption appealing to itself. But a Convention of a thousand persons, fairly elected, would bring every matter to a decided issue.

As to County-meetings, it is only persons of leisure, or those who live near to the place of meeting, that can attend, and the number on such occasions is but like a drop in the bucket compared with the whole. The only consistent service which such meetings could render, would be that of

apportioning the county into convenient districts, and when this is done, each district might, according to its number of inhabitants, elect its quota of County Members to the National Convention; and the vote of each Elector might be taken in the parish where he resided, either by ballot or by voice, as he should chuse to give it.

A National Convention thus formed, would bring together the sense and opinions of every part of the nation, fairly taken. The science of Government, and the interest of the Public, and of the several parts thereof, would then undergo an ample and rational discussion, freed from the language of parliamentary disguise.

But in all deliberations of this kind, though men have a right to reason with, and endeavour to convince each other, upon any matter that respects their common good, yet, in point of practice, the majority of opinions, when known, forms a rule for the whole, and to this rule every good citizen practically conforms.

Mr. Burke, as if he knew, (for every concealed Pensioner has the opportunity of knowing,) that the abuses acted under the present system, are too flagrant to be palliated, and that the majority of opinions, whenever such abuses should be made public, would be for a general and effectual reform, has endeavoured to preclude the event, by sturdily denying the right of a majority of a nation to act as a whole. Let us bestow a thought upon this case.

When any matter is proposed as a subject for consultation, it necessarily implies some mode of decision. Common consent, arising from absolute necessity, has placed this in a majority of opinions; because, without it, there can be no decision, and consequently no order. It is, perhaps, the only case in which mankind, however various in their ideas upon other matters, can consistently be unanimous; because it is a mode of decision derived from the primary original right of every individual concerned; *that* right being first individually exercised in giving an opinion, and whether that opinion shall arrange with the minority or the majority, is a subsequent accidental thing that neither increases nor diminishes

the individual original right itself. Prior to any debate, enquiry, or investigation, it is not supposed to be known on which side the majority of opinions will fall, and therefore, whilst this mode of decision secures to every one the right of giving an opinion, it admits to every one an equal chance in the ultimate event.

Among the matters that will present themselves to the consideration of a national convention, there is one, wholly of a domestic nature, but so marvellously loaded with confusion, as to appear at first sight, almost impossible to be reformed. I mean the condition of what is called Law.

But, if we examine into the cause from whence this confusion, now so much the subject of universal complaint, is produced, not only the remedy will immediately present itself, but, with it, the means of preventing the like case hereafter.

In the first place, the confusion has generated itself from the absurdity of every Parliament assuming to be eternal in power, and the laws partake in a similar manner, of this assumption. They have no period of legal or natural expiration; and, however absurd in principle, or inconsistent in practice many of them have become, they still are, if not especially repealed, considered as making a part of the general mass. By this means the body of what is called Law, is spread over a space of *several hundred years*, comprehending laws obsolete, laws repugnant, laws ridiculous, and every other kind of laws forgotten or remembered; and what renders the case still worse, is, that the confusion multiplies with the progress of time.*

To bring this misshapen monster into form, and to prevent its lapsing again into a wilderness state, only two things, and those very simple, are necessary.

The first is, to review the whole mass of laws, and to bring forward such only as are worth retaining, and let all

* In the time of Henry IV. a law was passed making it felony "to multiply gold or silver, or to make use of the craft of multiplication," and this law remained two hundred and eighty-six years upon the statute books. It was then repealed as being ridiculous and injurious.—*Author.*

the rest drop; and to give to the laws so brought forward a new era, commencing from the time of such reform.

Secondly; that at the expiration of every twenty-one years (or any other stated period) a like review shall again be taken, and the laws, found proper to be retained, be again carried forward, commencing with that date, and the useless laws dropped and discontinued.

By this means there can be no obsolete laws, and scarcely such a thing as laws standing in direct or equivocal contradiction to each other, and every person will know the period of time to which he is to look back for all the laws in being.

It is worth remarking, that while every other branch of science is brought within some commodious system, and the study of it simplified by easy methods, the laws take the contrary course, and become every year more complicated, entangled, confused, and obscure.

Among the paragraphs which the Attorney General has taken from the *Rights of Man*, and put into his information, one is, that where I have said, "that with respect to regular law, there is *scarcely such a thing*."

As I do not know whether the Attorney-General means to show this expression to be libellous, because it is TRUE, or because it is FALSE, I shall make no other reply to him in this place, than by remarking, that if almanack-makers had not been more judicious than law-makers, the study of almanacks would by this time have become as abstruse as the study of the law, and we should hear of a library of almanacks as we now do of statutes; but by the simple operation of letting the obsolete matter drop, and carrying forward that only which is proper to be retained, all that is necessary to be known is found within the space of a year, and laws also admit of being kept within some given period.

I shall here close this letter, so far as it respects the Addresses, the Proclamation, and the Prosecution; and shall offer a few observations to the Society, styling itself "THE FRIENDS OF THE PEOPLE."

That the science of government is beginning to be better

understood than in former times, and that the age of fiction and political superstition, and of craft and mystery, is passing away, are matters which the experience of every day proves to be true, as well in England as in other countries.

As therefore it is impossible to calculate the silent progress of opinion, and also impossible to govern a nation after it has changed its habits of thinking, by the craft or policy that it was governed by before, the only true method to prevent popular discontents and commotions is, to throw, by every fair and rational argument, all the light upon the subject that can possibly be thrown; and at the same time, to open the means of collecting the general sense of the nation; and this cannot, as already observed, be done by any plan so effectually as a national convention. Here individual opinion will quiet itself by having a centre to rest upon.

The society already mentioned, (which is made up of men of various descriptions, but chiefly of those called Foxites,) appears to me, either to have taken wrong grounds from want of judgment, or to have acted with cunning reserve. It is now amusing the people with a new phrase, namely, that of "a temperate and moderate reform," the interpretation of which is, *a continuance of the abuses as long as possible. If we cannot hold all let us hold some.*

Who are those that are frightened at reforms? Are the public afraid that their taxes should be lessened too much? Are they afraid that sinecure places and pensions should be abolished too fast? Are the poor afraid that their condition should be rendered too comfortable? Is the worn-out mechanic, or the aged and decayed tradesman, frightened at the prospect of receiving ten pounds a year out of the surplus taxes? Is the soldier frightened at the thoughts of his discharge, and three shillings per week during life? Is the sailor afraid that press-warrants will be abolished? The Society mistakes the fears of borough-mongers, placemen, and pensioners, for the fears of the people; and the *temperate and moderate Reform* it talks of, is calculated to suit the condition of the former.

Those words, "temperate and moderate," are words either of political cowardice, or of cunning, or seduction.—A thing,

moderately good, is not so good as it ought to be. Moderation in temper, is always a virtue; but moderation in principle, is a species of vice. But who is to be the judge of what is a temperate and moderate Reform? The Society is the representative of nobody; neither can the unrepresented part of the nation commit this power to those in Parliament, in whose election they had no choice; and, therefore, even upon the ground the Society has taken, recourse must be had to a National Convention.

The objection which Mr. Fox made to Mr. Grey's proposed Motion for a Parliamentary Reform was, that it contained no plan.—It certainly did not. But the plan very easily presents itself; and whilst it is fair for all parties, it prevents the dangers that might otherwise arise from private or popular discontent.

THOMAS PAINE.

EDITORIAL NOTE ON BURKE'S ALLEGED SECRET PENSION.—By reference to Vol. II., pp. 271, 360, of this work, it will be seen that Paine mentions a report that Burke was a "pensioner in a fictitious name." A letter of John Hall to a relative in Leicester, (London, May 1, 1792,) says: "You will remember that there was a vote carried, about the conclusion of the American war, that the influence of the Crown had increased, was increasing, and should be diminished. Burke, poor, and like a good angler, baited a hook with a bill to bring into Parliament, that no pensions should be given above £300 a year, but what should be publicly granted, and for what. (I may not be quite particular.) To stop that he took in another person's name £1500 a year for life, and some time past he disposed of it, or sold his life out. He has been very still since his declension from the Whigs, and is not concerned in the slave-trade [question ?] as I hear of." This letter, now in possession of Hall's kinsman, Dr. Dutton Steele of Philadelphia, contains an item not in Paine's account, which may have been derived from it. Hall was an English scientific engineer, and acquainted with intelligent men in London. Paine was rather eager for a judicial encounter with Burke, and probably expected to be sued by him for libel, as he (Burke) had once sued the *Public Advertiser* for a personal accusation. But Burke remained quiet under this charge, and Paine, outlawed, and in France, had no opportunity for summoning witnesses in its support. The biographers of Burke have silently passed over the accusation, and this might be fair enough were this unconfirmed charge made against a public man of stainless reputation in such matters. But though Burke escaped parliamentary censure for official corruption (May 16, 1783, by only 24 majority) he has never been vindicated. It was admitted that he had restored to office a cashier and an accountant dismissed for dishonesty by his predecessor. ("Parl. Hist.," xxiii., pp. 801, 902.) He escaped censure by agreeing to suspend them. One was proved guilty, the

other committed suicide. It was subsequently shown that one of the men had been an agent of the Burkes in raising India stock. (Dilke's "Papers of a Critic," ii., p. 333. "Dict. Nat. Biography": art. *Burke*.) Paine, in his letter to the Attorney-General (IV. of this volume), charged that Burke had been a "masked pensioner" ten years. The date corresponds with a secret arrangement made in 1782 with Burke for a virtual pension to his son, for life, and his mother. Under date April 24 of that year, Burke, writing to William Burke at Madras, reports his appointment as Paymaster: "The office is to be 4000*l.* certain. Young Richard [his son] is the deputy with a salary of 500*l.* The office to be reformed according to the Bill. There is enough emoluments. In decency it could not be more. Something considerable is also to be secured for the life of young Richard to be a security for him and his mother." ("Mem. and Cor. of Charles James Fox," i., p. 451.) It is thus certain that the Rockingham Ministry were doing for the Paymaster all they could "in decency," and that while posing as a reformer in reducing the expenses of that office, he was arranging for secret advantages to his family. It is said that the arrangement failed by his loss of office, but while so many of Burke's papers are withheld from the public (if not destroyed), it cannot be certain that something was not done of the kind charged by Paine. That Burke was not strict in such matters is further shown by his efforts to secure for his son the rich sinecure of the Clerkship of the Polls, in which he failed. Burke was again Paymaster in 1783–4, and this time remained long enough in office to repeat more successfully his secret attempts to secure irregular pensions for his family. On April 7, 1894, Messrs. Sotheby, Wilkinson, and Hodge sold in London (Lot 404) a letter of Burke (which I have not seen in print), dated July 16, 1795. It was written to the Chairman of the Commission on Public Accounts, who had required him to render his accounts for the time he was in office as Paymaster-General, 1783–4. Burke refuses to do so in four angry and quibbling pages, and declares he will appeal to his country against the demand if it is pressed. Why should Burke wish to conceal his accounts? There certainly were suspicions around Burke, and they may have caused Pitt to renounce his intention, conveyed to Burke, August 30, 1794, of asking Parliament to bestow on him a pension. "It is not exactly known," says one of Burke's editors, "what induced Mr. Pitt to decline bringing before Parliament a measure which he had himself proposed without any solicitation whatever on the part of Burke." (Burke's "Works," English Ed., 1852, ii., p. 252.) The pensions were given without consultation with Parliament—1200*l.* granted him by the King from the Civil List, and 2500*l.* by Pitt in West Indian 4½ per cents. Burke, on taking his seat beside Pitt in the great Paine Parliament (December, 1792), had protested that he had not abandoned his party through expectation of a pension, but the general belief of those with whom he had formerly acted was that he had been promised a pension. A couplet of the time ran:

> "A pension makes him change his plan,
> And loudly damn the rights of man."

Writing in 1819, Cobbett says: "As my Lord Grenville introduced the name of Burke, suffer me, my Lord, to introduce the name of the man [Paine] who put this Burke to shame, who drove him off the public stage to seek shelter in the Pension List, and who is now named fifty million times where the name of the pensioned Burke is mentioned once."—*Editor*.

X.

ADDRESS TO THE PEOPLE OF FRANCE.

PARIS, Sept. 25, [1792.]
First Year of the Republic.

FELLOW CITIZENS,

I RECEIVE, with affectionate gratitude, the honour which the late National Assembly has conferred upon me, by adopting me a Citizen of France: and the additional honor of being elected by my fellow citizens a Member of the National Convention.[1] Happily impressed, as I am, by those testimonies of respect shown towards me as an individual, I feel my felicity increased by seeing the barrier broken down that divided patriotism by spots of earth, and limited citizenship to the soil, like vegetation.

Had those honours been conferred in an hour of national tranquillity, they would have afforded no other means of shewing my affection, than to have accepted and enjoyed them; but they come accompanied with circumstances that give me the honourable opportunity of commencing my citizenship in the stormy hour of difficulties. I come not to enjoy repose. Convinced that the cause of France is the cause of all mankind, and that liberty cannot be purchased by a wish, I gladly share with you the dangers and honours necessary to success.

I am well aware that the moment of any great change, such as that accomplished on the 10th of August, is unavoid-

[1] The National Assembly (August 26, 1792) conferred the title of "French Citizen" on "Priestley, Payne, Bentham, Wilberforce, Clarkson, Mackintosh, Campe, Cormelle, Paw, David Williams, Gorani, Anacharsis Clootz, Pestalozzi, Washington, Hamilton, Madison, Klopstoc, Kosciusko, Gilleers."—*Editor*.

ably the moment of terror and confusion. The mind, highly agitated by hope, suspicion and apprehension, continues without rest till the change be accomplished. But let us now look calmly and confidently forward, and success is certain. It is no longer the paltry cause of kings, or of this, or of that individual, that calls France and her armies into action. It is the great cause of ALL. It is the establishment of a new æra, that shall blot despotism from the earth, and fix, on the lasting principles of peace and citizenship, the great Republic of Man.

It has been my fate to have borne a share in the commencement and complete establishment of one Revolution, (I mean the Revolution of America.) The success and events of that Revolution are encouraging to us. The prosperity and happiness that have since flowed to that country, have amply rewarded her for all the hardships she endured and for all the dangers she encountered.

The principles on which that Revolution began, have extended themselves to Europe; and an over-ruling Providence is regenerating the Old World by the principles of the New. The distance of America from all the other parts of the globe, did not admit of her carrying those principles beyond her own situation. It is to the peculiar honour of France, that she now raises the standard of liberty for all nations; and in fighting her own battles, contends for the rights of all mankind.

The same spirit of fortitude that insured success to America; will insure it to France, for it is impossible to conquer a nation determined to be free! The military circumstances that now unite themselves to France, are such as the despots of the earth know nothing of, and can form no calculation upon. They know not what it is to fight against a nation; they have only been accustomed to make war upon each other, and they know, from system and practice, how to calculate the probable success of despot against despot; and here their knowledge and their experience end.

But in a contest like the present a new and boundless variety of circumstances arise, that deranges all such cus-

tomary calculations. When a whole nation acts as an army, the despot knows not the extent of the power against which he contends. New armies arise against him with the necessity of the moment. It is then that the difficulties of an invading enemy multiply, as in the former case they diminished; and he finds them at their height when he expected them to end.

The only war that has any similarity of circumstances with the present, is the late revolution war in America. On her part, as it now is in France, it was a war of the whole nation:—there it was that the enemy, by beginning to conquer, put himself in a condition of being conquered. His first victories prepared him for defeat. He advanced till he could not retreat, and found himself in the midst of a nation of armies.

Were it now to be proposed to the Austrians and Prussians, to escort them into the middle of France, and there leave them to make the most of such a situation, they would see too much into the dangers of it to accept the offer, and the same dangers would attend them, could they arrive there by any other means. Where, then, is the military policy of their attempting to obtain, by force, that which they would refuse by choice? But to reason with despots is throwing reason away. The best of arguments is a vigorous preparation.

Man is ever a stranger to the ways by which Providence regulates the order of things. The interference of foreign despots may serve to introduce into their own enslaved countries the principles they come to oppose. Liberty and Equality are blessings too great to be the inheritance of France alone. It is an honour to her to be their first champion; and she may now say to her enemies, with a mighty voice, "O! ye Austrians, ye Prussians! ye who now turn your bayonets against us, it is for you, it is for all Europe, it is for all mankind, and not for France alone, that she raises the standard of Liberty and Equality!"

The public cause has hitherto suffered from the contradictions contained in the Constitution of the Constituent As-

sembly. Those contradictions have served to divide the opinions of individuals at home, and to obscure the great principles of the Revolution in other countries. But when those contradictions shall be removed, and the Constitution be made conformable to the declaration of Rights; when the bagatelles of monarchy, royalty, regency, and hereditary succession, shall be exposed, with all their absurdities, a new ray of light will be thrown over the world, and the Revolution will derive new strength by being universally understood.

The scene that now opens itself to France extends far beyond the boundaries of her own dominions. Every nation is becoming her colleague, and every court is become her enemy. It is now the cause of all nations, against the cause of all courts. The terror that despotism felt, clandestinely begot a confederation of despots; and their attack upon France was produced by their fears at home.

In entering on this great scene, greater than any nation has yet been called to act in, let us say to the agitated mind, be calm. Let us punish by instructing, rather than by revenge. Let us begin the new æra by a greatness of friendship, and hail the approach of union and success.

Your Fellow-Citizen,

THOMAS PAINE.

XI.

ANTI-MONARCHAL ESSAY.

FOR THE USE OF NEW REPUBLICANS.[1]

WHEN we reach some great good, long desired, we begin by felicitating ourselves. We triumph, we give ourselves up to this joy without rendering to our minds any full account of our reasons for it. Then comes reflexion: we pass in review all the circumstances of our new happiness; we compare it in detail with our former condition; and each of these thoughts becomes a fresh enjoyment. This satisfaction, elucidated and well-considered, we now desire to procure for our readers.

In seeing Royalty abolished and the Republic established, all France has resounded with unanimous plaudits.[2] Yet

[1] Translated for this work from *Le Patriote François*, "Samedi 20 Octobre, 1792, l'an 1er de la République. Supplement au No. 1167," in the Bibliothèque Nationale, Paris. It is headed, "Essai anti-monarchique, à l'usage des nouveaux républicains, tiré de la Feuille Villageoise." I have not found this *Feuille*, but no doubt Brissot, in editing the essay for his journal (*Le Patriote François*) abridged it, and in one instance Paine is mentioned by name. Although in this essay Paine occasionally repeats sentences used elsewhere, and naturally maintains his well-known principles, the work has a peculiar interest as indicating the temper and visions of the opening revolution.—*Editor*.

[2] Royalty was abolished by the National Convention on the first day of its meeting, September 21, 1792, the revolutionary Calendar beginning next day. Paine was chosen by his fellow-deputies of Calais to congratulate the Convention, and did so in a brief address, dated October 27, which was loaned by M. Charavay to the Historical Exposition of the Revolution at Paris, 1889, where I made the subjoined translation:

"CITIZEN PRESIDENT: In the name of the Deputies of the Department of the Pas de Calais, I have the honor of presenting to the Convention the felicitations of the General Council of the Commune of Calais on the abolition of Royalty.

"Amid the joy inspired by this event, one cannot forbear some pain at the

some who clap their hands do not sufficiently understand the condition they are leaving or that which they are assuming.

The perjuries of Louis, the conspiracies of his court, the wildness of his worthy brothers, have filled every Frenchman with horror, and this race was dethroned in their hearts before its fall by legal decree. But it is little to throw down an idol; it is the pedestal that above all must be broken down; it is the regal office rather than the incumbent that is murderous. All do not realize this.

Why is *Royalty* an absurd and detestable government? Why is the *Republic* a government accordant with nature and reason? At the present time a Frenchman should put himself in a position to answer these two questions clearly. For, in fine, if you are free and contented it is yet needful that you should know why.

Let us first discuss Royalty or Monarchy. Although one often wishes to distinguish between these names, common usage gives them the same sense.

ROYALTY.

Bands of brigands unite to subvert a country, place it under tribute, seize its lands, enslave its inhabitants. The expedition completed, the chieftain of the robbers adopts the title of monarch or king. Such is the origin of Royalty among all tribes—huntsmen, agriculturists, shepherds.

A second brigand arrives who finds it equitable to take away by force what was conquered by violence: he dispossesses the first; he chains him, kills him, reigns in his place. Ere long time effaces the memory of this origin; the successors rule under a new form; they do a little good, from policy; they corrupt all who surround them; they invent fictitious genealogies to make their families sacred [1]; the knavery of

folly of our ancestors, who have placed us under the necessity of treating gravely (*solennellement*) the abolition of a phantom (*fantôme*).—THOMAS PAINE, Deputy."—*Editor.*

[1] The Boston *Investigator's* compilation of Paine's Works contains the following as "supposed to be Mr. Paine's":

"ROYAL PEDIGREE.—George the Third, who was the grandson of George the Second, who was the son of George the First, who was the son of the Princess

priests comes to their aid; they take Religion for a life-guard: thenceforth tyranny becomes immortal, the usurped power becomes an hereditary right.

The effects of Royalty have been entirely harmonious with its origin. What scenes of horror, what refinements of iniquity, do the annals of monarchies present! If we should paint human nature with a baseness of heart, an hypocrisy, from which all must recoil and humanity disavow, it would be the portraiture of kings, their ministers and courtiers.

And why should it not be so? What should such a monstrosity produce but miseries and crimes? What is monarchy? It has been finely disguised, and the people familiarized with the odious title: in its real sense the word signifies *the absolute power of one single individual*, who may with impunity be stupid, treacherous, tyrannical, etc. Is it not an insult to nations to wish them so governed?

Government by a single individual is vicious in itself, independently of the individual's vices. For however little a State, the prince is nearly always too small: where is the proportion between one man and the affairs of a whole nation?

True, some men of genius have been seen under the diadem; but the evil is then even greater: the ambition of such a man impels him to conquest and despotism, his subjects soon have to lament his glory, and sing their *Te-deums* while

Sophia, who was the cousin of Anne, who was the sister of William and Mary, who were the daughter and son-in-law of James the Second, who was the son of Charles the First, who was a traitor to his country and decapitated as such, who was the son of James the First, who was the son of Mary, who was the sister of Edward the Sixth, who was the son of Henry the Eighth, who was the cold-blooded murderer of his wives, and the promoter of the Protestant religion, who was the son of Henry the Seventh, who slew Richard the Third, who smothered his nephew Edward the Fifth, who was the son of Edward the Fourth, who with bloody Richard slew Henry the Sixth, who succeeded Henry the Fifth, who was the son of Henry the Fourth, who was the cousin of Richard the Second, who was the son of Edward the Third, who was the son of Richard the Second, who was the son of Edward the First, who was the son of Henry the Third, who was the son of John, who was the brother of Richard the First, who was the son of Henry the Second, who was the son of Matilda, who was the daughter of Henry the First, who was the brother of William Rufus, who was the son of William the Conqueror, who was the son of a whore."—*Editor*.

perishing with hunger. Such is the history of Louis XIV. and so many others.

But if ordinary men in power repay you with incapacity or with princely vices? "But those who come to the front in monarchies are frequently mere mean mischief-makers, commonplace knaves, petty intriguers, whose small wits, which in courts reach large places, serve only to display their ineptitude in public, as soon as they appear." * In short, monarchs do nothing, and their ministers do evil: this is the history of all monarchies.

But if Royalty as such is baneful, as hereditary succession it is equally revolting and ridiculous. What! there exists among my kind a man who pretends that he is born to govern me? Whence derived he such right? From his and my ancestors, says he. But how could they transmit to him a right they did not possess? Man has no authority over generations unborn. I cannot be the slave of the dead, more than of the living. Suppose that instead of our posterity, it was we who should succeed ourselves: we should not to-day be able to despoil ourselves of the rights which would belong to us in our second life: for a stronger reason we cannot so despoil others.

An hereditary crown! A transmissible throne! What a notion! With even a little reflexion, can any one tolerate it? Should human beings then be the property of certain individuals, born or to be born? Are we then to treat our descendants in advance as cattle, who shall have neither will nor rights of their own? To inherit government is to inherit peoples, as if they were herds. It is the basest, the most shameful fantasy that ever degraded mankind.

It is wrong to reproach kings with their ferocity, their brutal indifference, the oppressions of the people, and molestations of citizens: it is hereditary succession that makes them what they are: this breeds monsters as a marsh breeds vipers.

The logic on which the hereditary prince rests is in effect this: I derive my power from my birth; I derive my birth

* J. J. Rousseau, *Contrat Social.—Author.*

from God; therefore I owe nothing to men. It is little that he has at hand a complacent minister, he continues to indulge, conscientiously, in all the crimes of tyranny. This has been seen in all times and countries.

Tell me, then, what is there in common between him who is master of a people, and the people of whom he is master? Are these masters really of their kind? It is by sympathy that we are good and human: with whom does a monarch sympathize? When my neighbor suffers I pity, because I put myself in his place: a monarch pities none, because he has never been, can never be, in any other place than his own.

A monarch is an egoist by nature, the egoist *par excellence*. A thousand traits show that this kind of men have no point of contact with the rest of humanity. There was demanded of Charles II. the punishment of Lauderdale, his favorite, who had infamously oppressed the Scotch. "Yes," said Charles coolly, "this man has done much against the Scotch, but I cannot see that he has done anything against my interests." Louis XIV. often said: "If I follow the wishes of the people, I cannot act the king." Even such phrases as "misfortunes of the State," "safety of the State," filled Louis XIV. with wrath.

Could nature make a law which should assure virtue and wisdom invariably in these privileged castes that perpetuate themselves on thrones, there would be no objection to their hereditary succession. But let us pass Europe in review: all of its monarchs are the meanest of men. This one a tyrant, that one an imbecile, another a traitor, the next a debauchee, while some muster all the vices. It looks as if fate and nature had aimed to show our epoch, and all nations, the absurdity and enormity of Royalty.

But I mistake: this epoch has nothing peculiar. For, such is the essential vice of this royal succession by animal filiation, the peoples have not even the chances of nature,—they cannot even hope for a good prince as an alternative. All things conspire to deprive of reason and justice an individual reared to command others. The word of young Dionysius was very sensible: his father, reproaching him for

a shameful action, said, "Have I given thee such example?" "Ah," answered the youth, "thy father was not a king!"

In truth, were laughter on such a subject permissible, nothing would suggest ideas more burlesque than this fantastic institution of hereditary kings. Would it not be believed, to look at them, that there really exist particular lineages possessing certain qualities which enter the blood of the embryo prince, and adapt him physically for royalty, as a horse for the racecourse? But then, in this wild supposition, it yet becomes necessary to assure the genuine family descent of the heir presumptive. To perpetuate the noble race of Andalusian chargers, the circumstances pass before witnesses, and similar precautions seem necessary, however indecent, to make sure that the trickeries of queens shall not supply thrones with bastards, and that the kings, like the horses, shall always be thoroughbreds.

Whether one jests or reasons, there is found in this idea of hereditary royalty only folly and shame. What then is this office, which may be filled by infants or idiots? Some talent is required to be a simple workman; to be a king there is need to have only the human shape, to be a living automaton. We are astonished when reading that the Egyptians placed on the throne a flint, and called it their king. We smile at the dog Barkouf, sent by an Asiatic despot to govern one of his provinces.* But monarchs of this kind are less mischievous and less absurd than those before whom whole peoples prostrate themselves. The flint and the dog at least imposed on nobody. None ascribed to them qualities or characters they did not possess. They were not styled 'Father of the People,'—though this were hardly more ridiculous than to give that title to a rattlehead whom inheritance crowns at eighteen. Better a mute than an animate idol. Why, there can hardly be cited an instance of a great man having children worthy of him, yet you will have the royal function pass from father to son! As well declare that a wise man's son will be wise. A king

* See the first year of La Feuille Villageoise, No. 42.—*Author.* [*Cf.* Montaigne's Essays, chap. xii.—*Editor.*]

is an administrator, and an hereditary administrator is as absurd as an author by birthright.

Royalty is thus as contrary to common sense as to common right. But it would be a plague even if no more than an absurdity; for a people who can bow down in honor of a silly thing is a debased people. Can they be fit for great affairs who render equal homage to vice and virtue, and yield the same submission to ignorance and wisdom? Of all institutions, none has caused more intellectual degeneracy. This explains the often-remarked abjectness of character under monarchies.

Such is also the effect of this contagious institution that it renders equality impossible, and draws in its train the presumption and the evils of "Nobility." If you admit inheritance of an office, why not that of a distinction? The Nobility's heritage asks only homage, that of the Crown commands submission. When a man says to me, 'I am born illustrious,' I merely smile; when he says 'I am born your master,' I set my foot on him.

When the Convention pronounced the abolition of Royalty none rose for the defence that was expected. On this subject a philosopher, who thought discussion should always precede enactment, proposed a singular thing; he desired that the Convention should nominate an orator commissioned to plead before it the cause of Royalty, so that the pitiful arguments by which it has in all ages been justified might appear in broad daylight. Judges give one accused, however certain his guilt, an official defender. In the ancient Senate of Venice there existed a public officer whose function was to contest all propositions, however incontestible, or however perfect their evidence. For the rest, pleaders for Royalty are not rare: let us open them, and see what the most specious of royalist reasoners have said.

1. *A king is necessary to preserve a people from the tyranny of powerful men.*

Establish the Rights of Man[1]; enthrone Equality; form a

[1] The reader should bear in mind that this phrase, now used vaguely, had for Paine and his political school a special significance; it implied a funda-

good Constitution; divide well its powers; let there be no privileges, no distinctions of birth, no monopolies; make safe the liberty of industry and of trade, the equal distribution of [family] inheritances, publicity of administration, freedom of the press: these things all established, you will be assured of good laws, and need not fear the powerful men. Willingly or unwillingly, all citizens will be under the Law.

2. *The Legislature might usurp authority, and a king is needed to restrain it.*

With representatives, frequently renewed, who neither administer nor judge, whose functions are determined by the laws; with national conventions, with primary assemblies, which can be convoked any moment; with a people knowing how to read, and how to defend itself; with good journals, guns, and pikes; a Legislature would have a good deal of trouble in enjoying any months of tyranny. Let us not suppose an evil for the sake of its remedy.

3. *A king is needed to give force to executive power.*

This might be said while there existed nobles, a priesthood, parliaments, the privileged of every kind. But at present who can resist the Law, which is the will of all, whose execution is the interest of all? On the contrary the existence of an hereditary prince inspires perpetual distrust among the friends of liberty; his authority is odious to them; in checking despotism they constantly obstruct the action of government. Observe how feeble the executive power was found, after our recent pretence of marrying Royalty with Liberty.

Take note, for the rest, that those who talk in this way are men who believe that the King and the Executive Power are only one and the same thing: readers of *La Feuille Villageoise* are more advanced.*

mental Declaration of individual rights, of supreme force and authority, invasion which, either by legislatures, law courts, majorities, or administrators, was to be regarded as the worst treason and despotism.—*Editor.*

* See No. 50.—*Author.*

Others use this bad reasoning: "Were there no hereditary chief there would be an elective chief: the citizens would side with this man or that, and there would be a civil war at every election." In the first place, it is certain that hereditary succession alone has produced the civil wars of France and England; and that beyond this are the pretended rights of royal families which have twenty times drawn on these nations the scourge of foreign wars. It is, in fine, the heredity of crowns that has caused the troubles of Regency, which Thomas Paine calls Monarchy at nurse.

But above all it must be said, that if there be an elective chief, that chief will not be a king surrounded by courtiers, burdened with pomp, inflated by idolatries, and endowed with thirty millions of money; also, that no citizen will be tempted to injure himself by placing another citizen, his equal, for some years in an office without limited income and circumscribed power.

In a word, whoever demands a king demands an aristocracy, and thirty millions of taxes. See why Franklin described Royalism as *a crime like poisoning*.

Royalty, its fanatical eclat, its superstitious idolatry, the delusive assumption of its necessity, all these fictions have been invented only to obtain from men excessive taxes and voluntary servitude. Royalty and Popery have had the same aim, have sustained themselves by the same artifices, and crumble under the same Light.

XII.

TO THE ATTORNEY GENERAL, ON THE PROSECUTION AGAINST THE SECOND PART OF RIGHTS OF MAN.[1]

PARIS, 11th of November, 1st Year of the Republic. [1792.]

MR. ATTORNEY GENERAL:

SIR,—As there can be no personal resentment between two strangers, I write this letter to you, as to a man against whom I have no animosity.

You have, as Attorney General, commenced a prosecution against me, as the author of Rights of Man. Had not my duty, in consequence of my being elected a member of the National Convention of France, called me from England, I should have staid to have contested the injustice of that prosecution; not upon my own account, for I cared not about the prosecution, but to have defended the principles I had advanced in the work.

The duty I am now engaged in is of too much importance to permit me to trouble myself about your prosecution: when I have leisure, I shall have no objection to meet you on that ground; but, as I now stand, whether you go on with the prosecution, or whether you do not, or whether you obtain a verdict, or not, is a matter of the most perfect indifference to me as an individual. If you obtain one, (which you are welcome to if you can get it,) it cannot affect me either in person, property, or reputation, otherwise than to increase the latter; and with respect to yourself, it is as consistent that you obtain a verdict against the

[1] Read to the Jury by the Attorney General, Sir Archibald Macdonald, at the trial of Paine, December 18, 1792, which resulted in his outlawry.—*Editor.*

Man in the Moon as against me; neither do I see how you can continue the prosecution against me as you would have done against one of *your own people*, who had absented himself because he was prosecuted; what passed at Dover proves that my departure from England was no secret. [1]

My necessary absence from your country affords the opportunity of knowing whether the prosecution was intended against Thomas Paine, or against the Right of the People of England to investigate systems and principles of government; for as I cannot now be the object of the prosecution, the going on with the prosecution will shew that something else was the object, and that something else can be no other than the People of England, for it is against *their Rights*, and not against me, that a verdict or sentence can operate, if it can operate at all. Be then so candid as to tell the Jury, (if you choose to continue the process,) whom it is you are prosecuting, and on whom it is that the verdict is to fall. [2]

But I have other reasons than those I have mentioned for writing you this letter; and, however you may choose to interpret them, they proceed from a good heart. The time, Sir, is becoming too serious to play with Court prosecutions, and sport with national rights. The terrible examples that have taken place here, upon men who, less than a year ago, thought themselves as secure as any prosecuting Judge, Jury, or Attorney General, now can in England, ought to have some weight with men in your situation. That the government of England is as great, if not the greatest, perfection of fraud and corruption that ever took place since governments began, is what you cannot be a stranger to, unless the constant habit of seeing it has blinded your senses; but though you may not chuse to see it, the people are seeing it very fast, and the progress is beyond what you

[1] See Chapter VIII. of this volume.—*Editor.*

[2] In reading the letter in court the Attorney General said at this point: "Gentlemen, I certainly will comply with this request. I am prosecuting both him and his work; and if I succeed in this prosecution, he shall never return to this country otherwise than *in vinculis*, for I will outlaw him."—*Editor.*

may chuse to believe. Is it possible that you, or I, can believe, or that reason can make any other man believe, that the capacity of such a man as Mr. Guelph, or any of his profligate sons, is necessary to the government of a nation? I speak to you as one man ought to speak to another; and I know also that I speak what other people are beginning to think.

That you cannot obtain a verdict (and if you do, it will signify nothing) without *packing a Jury*, (and we *both* know that such tricks are practised,) is what I have very good reason to believe, I have gone into coffee-houses, and places where I was unknown, on purpose to learn the currency of opinion, and I never yet saw any company of twelve men that condemned the book; but I have often found a greater number than twelve approving it, and this I think is *a fair way of collecting the natural currency of opinion.* Do not then, Sir, be the instrument of drawing twelve men into a situation that may be *injurious* to them afterwards. I do not speak this from policy, but from benevolence; but if you chuse to go on with the process, I make it my request to you that you will read this letter in Court, after which the Judge and the Jury may do as they please. As I do not consider myself the object of the prosecution, neither can I be affected by the issue, one way or the other, I shall, though a foreigner in your country, subscribe as much money as any other man towards supporting the right of the nation against the prosecution; and it is for this purpose only that I shall do it.[1]

THOMAS PAINE.

As I have not time to copy letters, you will excuse the corrections.

[1] In reading this letter at the trial the Attorney interspersed comments. At the phrase, "Mr. Guelph and his profligate sons," he exclaimed: "This passage is contemptuous, scandalous, false, cruel. Why, gentlemen, is Mr. Paine, in addition to the political doctrines he is teaching us in this country, to teach us the morality and religion of IMPLACABILITY? Is he to teach human creatures, whose moments of existence depend upon the permission of a Being, merciful, long-suffering, and of great goodness, that those youthful errors from

P. S. I intended, had I staid in England, to have published the information, with my remarks upon it, before the trial came on; but as I am otherwise engaged, I reserve myself till the trial is over, when I shall reply fully to every thing you shall advance.

which even royalty is not exempted, are to be treasured up in a vindictive memory, and are to receive sentence of irremissible sin at His hands. . . . If giving me pain was his object he has that hellish gratification." Erskine, Paine's counsel, protested in advance against the reading of this letter (of which he had heard), as containing matter likely to divert the Jury from the subject of prosecution (the book). Lord Kenyon admitted the letter.—*Editor.*

XIII.

ON THE PROPRIETY OF BRINGING LOUIS XVI. TO TRIAL.[1]

Read to the Convention, November 21, 1792.

PARIS, Nov. 20, 1792.

CITIZEN PRESIDENT,

As I do not know precisely what day the Convention will resume the discussion on the trial of Louis XVI., and, on account of my inability to express myself in French, I cannot speak at the tribune, I request permission to deposit in your hands the enclosed paper, which contains my opinion on that subject. I make this demand with so much more eagerness, because circumstances will prove how much it imports to France, that Louis XVI. should continue to enjoy good health. I should be happy if the Convention would have the goodness to hear this paper read this morning, as I propose sending a copy of it to London, to be printed in the English journals.[2]

THOMAS PAINE.

A Secretary read the opinion of Thomas Paine.

I think it necessary that Louis XVI. should be tried; not

[1] This address, which has suffered by alterations in all editions is here revised and completed by aid of the official document: "Opinion de Thomas Payne, Deputé du Département de la Somme [error], concernant le jugement de Louis XVI. Précédé par sa lettre d'envoi au Président de la Convention. Imprimé par ordre de la Convention Nationale. À Paris. De l'Imprimerie Nationale." Lamartine has censured Paine for this speech; but the trial of the King was a foregone conclusion, and it will be noted that Paine was already trying to avert popular wrath from the individual man by directing it against the general league of monarchs, and the monarchal system. Nor would his plea for the King's life have been listened to but for this previous address.—*Editor.*

[2] Of course no English journal could then venture to print it.—*Editor.*

that this advice is suggested by a spirit of vengeance, but because this measure appears to me just, lawful, and conformable to sound policy. If Louis is innocent, let us put him to prove his innocence; if he is guilty, let the national will determine whether he shall be pardoned or punished.

But besides the motives personal to Louis XVI., there are others which make his trial necessary. I am about to develope these motives, in the language which I think expresses them, and no other. I forbid myself the use of equivocal expression or of mere ceremony. There was formed among the crowned brigands of Europe a conspiracy which threatened not only French liberty, but likewise that of all nations. Every thing tends to the belief that Louis XVI. was the partner of this horde of conspirators. You have this man in your power, and he is at present the only one of the band of whom you can make sure. I consider Louis XVI. in the same point of view as the two first robbers taken up in the affair of the Store Room; their trial led to discovery of the gang to which they belonged. We have seen the unhappy soldiers of Austria, of Prussia, and the other powers which declared themselves our enemies, torn from their fire-sides, and drawn to butchery like wretched animals, to sustain, at the cost of their blood, the common cause of these crowned brigands. They loaded the inhabitants of those regions with taxes to support the expenses of the war. All this was not done solely for Louis XVI. Some of the conspirators have acted openly: but there is reason to presume that this conspiracy is composed of two classes of brigands; those who have taken up arms, and those who have lent to their cause secret encouragement and clandestine assistance. Now it is indispensable to let France and the whole world know all these accomplices.

A little time after the National Convention was constituted, the Minister for Foreign Affairs presented the picture of all the governments of Europe,—those whose hostilities were public, and those that acted with a mysterious circumspection. This picture supplied grounds for just suspicions of the part the latter were disposed to take, and

since then various circumstances have occurred to confirm those suspicions. We have already penetrated into some part of the conduct of Mr. Guelph, Elector of Hanover, and strong presumptions involve the same man, his court and ministers, in quality of king of England. M. Calonne has constantly been favoured with a friendly reception at that court.[1] The arrival of Mr. Smith, secretary to Mr. Pitt, at Coblentz, when the emigrants were assembling there; the recall of the English ambassador; the extravagant joy manifested by the court of St. James' at the false report of the defeat of Dumouriez, when it was communicated by Lord Elgin, then Minister of Great Britain at Brussels—all these circumstances render him [George III.] extremely suspicious; the trial of Louis XVI. will probably furnish more decisive proofs.

The long subsisting fear of a revolution in England, would alone, I believe, prevent that court from manifesting as much publicity in its operations as Austria and Prussia. Another reason could be added to this: the inevitable decrease of credit, by means of which alone all the old governments could obtain fresh loans, in proportion as the probability of revolutions increased. Whoever invests in the new loans of such governments must expect to lose his stock.

Every body knows that the Landgrave of Hesse fights only as far as he is paid. He has been for many years in the pay of the court of London. If the trial of Louis XVI. could bring it to light, that this detestable dealer in human flesh has been paid with the produce of the taxes imposed on the English people, it would be justice to that nation to disclose that fact. It would at the same time give to France an exact knowledge of the character of that court, which

[1] Calonne (1734–1802), made Controller General of the Treasury in 1783, lavished the public money on the Queen, on courtiers, and on himself (purchasing St. Cloud and Rambouillet), borrowing vast sums and deceiving the King as to the emptiness of the Treasury, the annual deficit having risen in 1787 to 115 millions of francs. He was then banished to Lorraine, whence he proceeded to England, where he married the wealthy widow Haveley. By his agency for the Coblentz party he lost his fortune. In 1802 Napoleon brought him back from London to Paris, where he died the same year.—*Editor.*

has not ceased to be the most intriguing in Europe, ever since its connexion with Germany.

Louis XVI., considered as an individual, is an object beneath the notice of the Republic; but when he is looked upon as a part of that band of conspirators, as an accused man whose trial may lead all nations in the world to know and detest the disastrous system of monarchy, and the plots and intrigues of their own courts, he ought to be tried.

If the crimes for which Louis XVI. is arraigned were absolutely personal to him, without reference to general conspiracies, and confined to the affairs of France, the plea of inviolability, that folly of the moment, might have been urged in his behalf with some appearance of reason; but he is arraigned not only for treasons against France, but for having conspired against all Europe, and if France is to be just to all Europe we ought to use every means in our power to discover the whole extent of that conspiracy. France is now a republic; she has completed her revolution; but she cannot earn all its advantages so long as she is surrounded with despotic governments. Their armies and their marine oblige her also to keep troops and ships in readiness. It is therefore her immediate interest that all nations shall be as free as herself; that revolutions shall be universal; and since the trial of Louis XVI. can serve to prove to the world the flagitiousness of governments in general, and the necessity of revolutions, she ought not to let slip so precious an opportunity.

The despots of Europe have formed alliances to preserve their respective authority, and to perpetuate the oppression of peoples. This is the end they proposed to themselves in their invasion of French territory. They dread the effect of the French revolution in the bosom of their own countries; and in hopes of preventing it, they are come to attempt the destruction of this revolution before it should attain its perfect maturity. Their attempt has not been attended with success. France has already vanquished their armies; but it remains for her to sound the particulars of the conspiracy, to discover, to expose to the eyes of the world, those despots

who had the infamy to take part in it; and the world expects from her that act of justice.

These are my motives for demanding that Louis XVI. be judged; and it is in this sole point of view that his trial appears to me of sufficient importance to receive the attention of the Republic.

As to "inviolability," I would not have such a word mentioned. If, seeing in Louis XVI. only a weak and narrow-minded man, badly reared, like all his kind, given, as it is said, to frequent excesses of drunkenness—a man whom the National Assembly imprudently raised again on a throne for which he was not made—he is shown hereafter some compassion, it shall be the result of the national magnanimity, and not the burlesque notion of a pretended "inviolability."

THOMAS PAINE.

XIV.

REASONS FOR PRESERVING THE LIFE OF LOUIS CAPET,

As Delivered to the National Convention, January 15, 1793.[1]

CITIZEN PRESIDENT,

MY hatred and abhorrence of monarchy are sufficiently known: they originate in principles of reason and conviction, nor, except with life, can they ever be extirpated; but my compassion for the unfortunate, whether friend or enemy, is equally lively and sincere.

I voted that Louis should be tried, because it was necessary to afford proofs to the world of the perfidy, corruption, and abomination of the monarchical system. The infinity of evidence that has been produced exposes them in the most glaring and hideous colours; thence it results that monarchy, whatever form it may assume, arbitrary or otherwise, becomes necessarily a centre round which are united every species of corruption, and the kingly trade is no less destructive of all morality in the human breast, than the trade of an executioner is destructive of its sensibility. I remember, during my residence in another country, that I

[1] Printed in Paris (Hartley, Adlard & Son) and published in London with the addition of D. I. Eaton's name, in 1796. While Paine was in prison, he was accused in England and America of having helped to bring Louis XVI. to the scaffold. The English pamphlet has a brief preface in which it is presented "as a burnt offering to Truth, in behalf of the most zealous friend and advocate of the Rights of Man; to protect him against the barbarous shafts of scandal and delusion, and as a reply to all the horrors which despots of every description have, with such unrelenting malice, attempted to fix on his conduct, But truth in the end must triumph: cease then such calumnies: all your efforts are in vain —you bite a file."—*Editor.*

was exceedingly struck with a sentence of M. Autheine, at the Jacobins [Club], which corresponds exactly with my own idea,—"Make me a king to-day," said he, "and I shall be a robber to-morrow."

Nevertheless, I am inclined to believe that if Louis Capet had been born in obscure condition, had he lived within the circle of an amiable and respectable neighbourhood, at liberty to practice the duties of domestic life, had he been thus situated, I cannot believe that he would have shewn himself destitute of social virtues: we are, in a moment of fermentation like this, naturally little indulgent to his vices, or rather to those of his government; we regard them with additional horror and indignation; not that they are more heinous than those of his predecessors, but because our eyes are now open, and the veil of delusion at length withdrawn; yet the lamentable, degraded state to which he is actually reduced, is surely far less imputable to him than to the Constituent Assembly, which, of its own authority, without consent or advice of the people, restored him to the throne.

I was in Paris at the time of the flight, or abdication of Louis XVI., and when he was taken and brought back. The proposal of restoring him to supreme power struck me with amazement; and although at that time I was not a French citizen, yet as a citizen of the world I employed all the efforts that depended on me to prevent it.

A small society, composed only of five persons, two of whom are now members of the Convention,[1] took at that time the name of the Republican Club (Société Républicaine). This society opposed the restoration of Louis, not so much on account of his personal offences, as in order to overthrow the monarchy, and to erect on its ruins the republican system and an equal representation.

With this design, I traced out in the English language certain propositions, which were translated with some trifling

[1] Condorect and Paine; the other members were Achille Duchâtelet, and probably Nicolas de Bonneville and Lanthenas,—translator of Paine's "Works." —*Editor.*

alterations, and signed by Achille Duchâtelet, now Lieutenant-General in the army of the French republic, and at that time one of the five members which composed our little party: the law requiring the signature of a citizen at the bottom of each printed paper.

The paper was indignantly torn by Malouet; and brought forth in this very room as an article of accusation against the person who had signed it, the author and their adherents; but such is the revolution of events, that this paper is now received and brought forth for a very opposite purpose—to remind the nation of the errors of that unfortunate day, that fatal error of not having then banished Louis XVI. from its bosom, and to plead this day in favour of his exile, preferable to his death.

The paper in question, was conceived in the following terms:

[*The address constitutes the first chapter of the present volume.*]

Having thus explained the principles and the exertions of the republicans at that fatal period, when Louis was reinstated in full possession of the executive power which by his flight had been suspended, I return to the subject, and to the deplorable situation in which the man is now actually involved.

What was neglected at the time of which I have been speaking, has been since brought about by the force of necessity. The wilful, treacherous defects in the former constitution have been brought to light; the continual alarm of treason and conspiracy aroused the nation, and produced eventually a second revolution. The people have beat down royalty, never, never to rise again; they have brought Louis Capet to the bar, and demonstrated in the face of the whole world, the intrigues, the cabals, the falsehood, corruption, and rooted depravity, the inevitable effects of monarchical government. There remains then only one question to be considered, what is to be done with this man?

For myself I seriously confess, that when I reflect on the unaccountable folly that restored the executive power to his

hands, all covered as he was with perjuries and treason, I am far more ready to condemn the Constituent Assembly than the unfortunate prisoner Louis Capet.

But abstracted from every other consideration, there is one circumstance in his life which ought to cover or at least to palliate a great number of his transgressions, and this very circumstance affords to the French nation a blessed occasion of extricating itself from the yoke of kings, without defiling itself in the impurities of their blood.

It is to France alone, I know, that the United States of America owe that support which enabled them to shake off the unjust and tyrannical yoke of Britain. The ardour and zeal which she displayed to provide both men and money, were the natural consequence of a thirst for liberty. But as the nation at that time, restrained by the shackles of her own government, could only act by the means of a monarchical organ, this organ—whatever in other respects the object might be—certainly performed a good, a great action.

Let then those United States be the safeguard and asylum of Louis Capet. There, hereafter, far removed from the miseries and crimes of royalty, he may learn, from the constant aspect of public prosperity, that the true system of government consists not in kings, but in fair, equal, and honourable representation.

In relating this circumstance, and in submitting this proposition, I consider myself as a citizen of both countries. I submit it as a citizen of America, who feels the debt of gratitude which he owes to every Frenchman. I submit it also as a man, who, although the enemy of kings, cannot forget that they are subject to human frailties. I support my proposition as a citizen of the French republic, because it appears to me the best, the most politic measure that can be adopted.

As far as my experience in public life extends, I have ever observed, that the great mass of the people are invariably just, both in their intentions and in their objects; but the true method of accomplishing an effect does not always shew itself in the first instance. For example: the English nation

had groaned under the despotism of the Stuarts. Hence Charles I. lost his life; yet Charles II. was restored to all the plenitude of power, which his father had lost. Forty years had not expired when the same family strove to re-establish their ancient oppression; so the nation then banished from its territories the whole race. The remedy was effectual. The Stuart family sank into obscurity, confounded itself with the multitude, and is at length extinct.

The French nation has carried her measures of government to a greater length. France is not satisfied with exposing the guilt of the monarch. She has penetrated into the vices and horrors of the monarchy. She has shown them clear as daylight, and forever crushed that system; and he, whoever he may be, that should ever dare to reclaim those rights would be regarded not as a pretender, but punished as a traitor.

Two brothers of Louis Capet have banished themselves from the country; but they are obliged to comply with the spirit and etiquette of the courts where they reside. They can advance no pretensions on their own account, so long as Louis Capet shall live.

Monarchy, in France, was a system pregnant with crime and murders, cancelling all natural ties, even those by which brothers are united. We know how often they have assassinated each other to pave a way to power. As those hopes which the emigrants had reposed in Louis XVI. are fled, the last that remains rests upon his death, and their situation inclines them to desire this catastrophe, that they may once again rally around a more active chief, and try one further effort under the fortune of the ci-devant Monsieur and d'Artois. That such an enterprize would precipitate them into a new abyss of calamity and disgrace, it is not difficult to foresee; yet it might be attended with mutual loss, and it is our duty as legislators not to spill a drop of blood when our purpose may be effectually accomplished without it.

It has already been proposed to abolish the punishment of death, and it is with infinite satisfaction that I recollect the humane and excellent oration pronounced by Robespierre

on that subject in the Constituent Assembly. This cause must find its advocates in every corner where enlightened politicians and lovers of humanity exist, and it ought above all to find them in this assembly.

Monarchical governments have trained the human race, and inured it to the sanguinary arts and refinements of punishment; and it is exactly the same punishment which has so long shocked the sight and tormented the patience of the people, that now, in their turn, they practice in revenge upon their oppressors. But it becomes us to be strictly on our guard against the abomination and perversity of monarchical examples: as France has been the first of European nations to abolish royalty, let her also be the first to abolish the punishment of death, and to find out a milder and more effectual substitute.

In the particular case now under consideration, I submit the following propositions: 1st, That the National Convention shall pronounce sentence of banishment on Louis and his family. 2d, That Louis Capet shall be detained in prison till the end of the war, and at that epoch the sentence of banishment to be executed.

XV.

SHALL LOUIS XVI. HAVE RESPITE?

SPEECH IN THE CONVENTION, JANUARY 19, 1793.[1]

(Read in French by Deputy Bancal.)

VERY sincerely do I regret the Convention's vote of yesterday for death.

MARAT [*interrupting*]: I submit that Thomas Paine is incompetent to vote on this question; being a Quaker his religious principles are opposed to capital punishment. [*Much confusion, quieted by cries for "freedom of speech," on which Bancal proceeds with Paine's speech.*]

I have the advantage of some experience; it is near twenty years that I have been engaged in the cause of liberty, having contributed something to it in the revolution of the United States of America, My language has always been that of liberty *and* humanity, and I know that nothing so exalts a nation as the union of these two principles, under all circumstances. I know that the public mind of France, and particularly that of Paris, has been heated and irritated by the dangers to which they have been exposed; but could we carry our thoughts into the future, when the dangers are ended and the irritations forgotten, what to-day seems an act of justice may then appear an act of vengeance. [*Murmurs.*] My anxiety for the cause of France has become for the moment concern for her honor. If, on my return to America, I should employ myself on a history of the French Revolution, I had rather record a thousand errors on the side of mercy,

[1] Not included in any previous edition of Paine's "Works." It is here printed from contemporary French reports, modified only by Paine's own quotations of a few sentences in his Memorial to Monroe (xxi.).—*Editor.*

than be obliged to tell one act of severe justice. I voted against an appeal to the people, because it appeared to me that the Convention was needlessly wearied on that point; but I so voted in the hope that this Assembly would pronounce against death, and for the same punishment that the nation would have voted, at least in my opinion, that is for reclusion during the war, and banishment thereafter.[1] That is the punishment most efficacious, because it includes the whole family at once, and none other can so operate. I am still against the appeal to the primary assemblies, because there is a better method. This Convention has been elected to form a Constitution, which will be submitted to the primary assemblies. After its acceptance a necessary consequence will be an election and another assembly. We cannot suppose that the present Convention will last more than five or six months. The choice of new deputies will express the national opinion, on the propriety or impropriety of your sentence, with as much efficacy as if those primary assemblies had been consulted on it. As the duration of our functions here cannot be long, it is a part of our duty to consider the interests of those who shall replace us. If by any act of ours the number of the nation's enemies shall be needlessly increased, and that of its friends diminished,—at a time when the finances may be more strained than to-day,—we should not be justifiable for having thus unnecessarily heaped obstacles in the path of our successors. Let us therefore not be precipitate in our decisions.

[1] It is possible that the course of the debate may have produced some reaction among the people, but when Paine voted against submitting the king's fate to the popular vote it was believed by the king and his friends that it would be fatal. The American Minister, Gouverneur Morris, who had long been acting for the king, wrote to President Washington, Jan. 6, 1793: "The king's fate is to be decided next Monday, the 14th. That unhappy man, conversing with one of his Council on his own fate, calmly summed up the motives of every kind, and concluded that a majority of the Council would vote for referring his case to the people, and that in consequence he should be massacred." Writing to Washington on Dec. 28, 1792, Morris mentions having heard from Paine that he was to move the king's banishment to America, and he may then have informed Paine that the king believed reference of his case to popular vote would be fatal. Genet was to have conducted the royal family to America.—*Editor.*

France has but one ally—the United States of America. That is the only nation that can furnish France with naval provisions, for the kingdoms of northern Europe are, or soon will be, at war with her. It unfortunately happens that the person now under discussion is considered by the Americans as having been the friend of their revolution. His execution will be an affliction to them, and it is in your power not to wound the feelings of your ally. Could I speak the French language I would descend to your bar, and in their name become your petitioner to respite the execution of the sentence on Louis.

THURIOT: This is not the language of Thomas Paine.

MARAT: I denounce the interpreter. I maintain that it is not Thomas Paine's opinion. It is an untrue translation.

GARRAN: I have read the original, and the translation is correct.[1]

[*Prolonged uproar. Paine, still standing in the tribune beside his interpreter, Deputy Bancal, declared the sentiments to be his.*]

Your Executive Committee will nominate an ambassador to Philadelphia; my sincere wish is that he may announce to America that the National Convention of France, out of pure friendship to America, has consented to respite Louis. That people, by my vote, ask you to delay the execution.

Ah, citizens, give not the tyrant of England the triumph of seeing the man perish on the scaffold who had aided my much-loved America to break his chains!

MARAT [*"launching himself into the middle of the hall"*]: Paine voted against the punishment of death because he is a Quaker.

PAINE: I voted against it from both moral motives and motives of public policy.

[1] See Guizot, "Hist. of France," vi., p. 136. "Hist. Parliamentaire," xxiii., p. 250. Louis Blanc says that Paine's appeal was so effective that Marat interrupted mainly in order to destroy its effect.—"Hist. de la Rev.," tome vii., 396. —*Editor.*

XVI.

DECLARATION OF RIGHTS.[1]

THE object of all union of men in society being maintenance of their natural rights, civil and political, these rights are the basis of the social pact: their recognition and their declaration ought to precede the Constitution which assures their guarantee.

1. The natural rights of men, civil and political, are liberty, equality, security, property, social protection, and resistance to oppression.

2. Liberty consists in the right to do whatever is not contrary to the rights of others: thus, exercise of the natural

[1] In his appeal from prison to the Convention (August 7, 1794) Paine states that he had, as a member of the Committee for framing the Constitution, prepared a Plan, which was in the hands of Barère, also of that Committee. I have not yet succeeded in finding Paine's Constitution, but it is certain that the work of framing the Constitution of 1793 was mainly entrusted to Paine and Condorcet. Dr. John Moore, in his work on the French Revolution, describes the two at their work; and it is asserted that he "assisted in drawing up the French Declaration of Rights," by "Juvencus," author of an able "Essay on the Life and Genius of Thomas Paine," whose information came from a personal friend of Paine. ("Aphorisms, Opinions, and Reflections of Thomas Paine," etc., London, 1826. Pp. 3, 14.) A translation of the Declaration and Constitution appeared in England (Debrett, Picadilly, 1793), but with some faults. The present translation is from "Œuvres Complètes de Condorcet," tome xviii. The Committee reported their Constitution February 15th, and April 15th was set for its discussion. Robespierre then demanded separate discussion of the Declaration of Rights, to which he objected that it made no mention of the Supreme Being, and that its extreme principles of freedom would shield illicit traffic. Paine and Jefferson were troubled that the United States Constitution contained no Declaration of Rights, it being a fundamental principle in Paine's theory of government that such a Declaration was the main safeguard of the individual against the despotism of numbers. See *supra*, vol. ii., pp. 138, 139.—*Editor*.

rights of each individual has no limits other than those which secure to other members of society enjoyment of the same rights.

3. The preservation of liberty depends on submission to the Law, which is the expression of the general will. Nothing unforbidden by law can be hindered, and none may be forced to do what the law does not command.

4. Every man is free to make known his thoughts and opinions.

5. Freedom of the press, and every other means of publishing one's opinion, cannot be interdicted, suspended, or limited.

6. Every citizen shall be free in the exercise of his religion *(culte)*.

7. Equality consists in the enjoyment by every one of the same rights.

8. The law should be equal for all, whether it rewards or punishes, protects or represses.

9. All citizens are admissible to all public positions, employments, and functions. Free nations recognize no grounds of preference save talents and virtues.

10. Security consists in the protection accorded by society to every citizen for the preservation of his person, property, and rights.

11. None should be sued, accused, arrested, or detained, save in cases determined by the law, and in accordance with forms prescribed by it. Every other act against a citizen is arbitrary and null.

12. Those who solicit, further, sign, execute, or cause to be executed, such arbitrary acts are culpable, and should be punished.

13. Citizens against whom the execution of such acts is attempted have the right to repel force by force; but every citizen summoned or arrested by authority of the Law, and in the forms by it prescribed, should instantly obey: he renders himself guilty by resistance.

14. Every man being presumed innocent until legally pronounced guilty, should his arrest be deemed indispensable,

all rigor not necessary to secure his person should be severely represssed by law.

15. None should be punished save in virtue of a law formally enacted, promulgated anterior to the offence, and legally applied.

16. Any law that should punish offences committed before its existence would be an arbitrary act. Retroactive effect given to the law is a crime.

17. The law should award only penalties strictly and evidently necessary to the general safety. Penalties should be proportioned to offences, and useful to society.

18. The right of property consists in every man's being master in the disposal, at his will, of his goods, capital, income, and industry.

19. No kind of labor, commerce, or culture, can be prohibited to any one: he may make, sell, and transport every species of production.

20. Every man may engage his services and his time; but he cannot sell himself; his person is not an alienable property.

21. No one can be deprived of the least portion of his property without his consent, unless evidently required by public necessity, legally determined, and under the condition of a just indemnity in advance.

22. No tax shall be imposed except for the general welfare, and to meet public needs. All citizens have the right to unite personally, or by their representatives, in the fixing of imposts.

23. Instruction is the need of all, and society owes it to all its members equally.

24. Public succours are a sacred debt of society; it is for the law to determine their extent and application.

25. The social guarantee of the rights of man rests on the national sovereignty.

26. This sovereignty is one, indivisible, imprescriptible, and inalienable.

27. It resides essentially in the whole people, and every citizen has an equal right to unite in its exercise.

28. No partial assemblage of citizens, and no individual, may attribute to themselves sovereignty, or exercise any authority, or discharge any public function, without formal delegation thereto by the law.

29. The social guarantee cannot exist if the limits of public administration are not clearly determined by law, and if the responsibility of all public functionaries is not assured.

30. All citizens are bound to unite in this guarantee, and in enforcing the law when summoned in its name.

31. Men united in society should have legal means of resisting oppression.

32. There is oppression when any law violates the natural rights, civil and political, which it should guarantee.

There is oppression when the law is violated by public officials in its application to individual cases.

There is oppression when arbitrary actions violate the rights of citizen against the express purpose *(expression)* of the law.

In a free government the mode of resisting these different acts of oppression should be regulated by the Constitution.

33. A people possesses always the right to reform and alter its Constitution. A generation has no right to subject a future generation to its laws; and all heredity in offices is absurd and tyrannical.

XVII.

PRIVATE LETTERS TO JEFFERSON.

PARIS, 20 April, 1793.

MY DEAR FRIEND,—The gentleman (Dr. Romer) to whom I entrust this letter is an intimate acquaintance of Lavater; but I have not had the opportunity of seeing him, as he had set off for Havre prior to my writing this letter, which I forward to him under cover from one of his friends, who is also an acquaintance of mine.

We are now in an extraordinary crisis, and it is not altogether without some considerable faults here. Dumouriez, partly from having no fixed principles of his own, and partly from the continual persecution of the Jacobins, who act without either prudence or morality, has gone off to the Enemy, and taken a considerable part of the Army with him. The expedition to Holland has totally failed, and all Brabant is again in the hands of the Austrians.

You may suppose the consternation which such a sudden reverse of fortune has occasioned, but it has been without commotion. Dumouriez threatened to be in Paris in three weeks. It is now three weeks ago; he is still on the frontier near to Mons with the Enemy, who do not make any progress. Dumouriez has proposed to re-establish the former Constitution in which plan the Austrians act with him. But if France and the National Convention act prudently this project will not succeed. In the first place there is a popular disposition against it, and there is force sufficient to prevent it. In the next place, a great deal is to be taken into the calculation with respect to the Enemy. There are now so many persons accidentally jumbled together as to render

it exceedingly difficult to them to agree upon any common object.

The first object, that of restoring the old Monarchy, is evidently given up by the proposal to re-establish the late Constitution. The object of England and Prussia was to preserve Holland, and the object of Austria was to recover Brabant; while those separate objects lasted, each party having one, the Confederation could hold together, each helping the other; but after this I see not how a common object is to be formed. To all this is to be added the probable disputes about opportunity, the expence, and the projects of reimbursements. The Enemy has once adventured into France, and they had the permission or the good fortune to get back again. On every military calculation it is a hazardous adventure, and armies are not much disposed to try a second time the ground upon which they have been defeated.

Had this revolution been conducted consistently with its principles, there was once a good prospect of extending liberty through the greatest part of Europe; but I now relinquish that hope. Should the Enemy by venturing into France put themselves again in a condition of being captured, the hope will revive; but this is a risk I do not wish to see tried, lest it should fail.

As the prospect of a general freedom is now much shortened, I begin to contemplate returning home. I shall await the event of the proposed Constitution, and then take my final leave of Europe. I have not written to the President, as I have nothing to communicate more than in this letter. Please to present him my affection and compliments, and remember me among the circle of my friends.

Your sincere and affectionate friend,

THOMAS PAINE.

P. S. I just now received a letter from General Lewis Morris, who tells me that the house and Barn on my farm at New Rochelle are burnt down. I assure you I shall not bring money enough to build another.

PARIS, 20 Oct., 1793.

I wrote you by Captain Dominick who was to sail from Havre about the 20th of this month. This will probably be brought you by Mr. Barlow or Col. Oswald. Since my letter by Dominick I am every day more convinced and impressed with the propriety of Congress sending Commissioners to Europe to confer with the Ministers of the Jesuitical Powers on the means of terminating the War. The enclosed printed paper will shew there are a variety of subjects to be taken into consideration which did not appear at first, all of which have some tendency to put an end to the War. I see not how this War is to terminate if some intermediate power does not step forward. There is now no prospect that France can carry revolutions into Europe on the one hand, or that the combined powers can conquer France on the other hand. It is a sort of defensive War on both sides. This being the case, how is the War to close? Neither side will ask for peace though each may wish it. I believe that England and Holland are tired of the War. Their Commerce and Manufactures have suffered most exceedingly,—besides this, it is for them a War without an object. Russia keeps herself at a distance.

I cannot help repeating my wish that Congress would send Commissioners, and I wish also that yourself would venture once more across the ocean, as one of them. If the Commissioners rendezvous at Holland they would know what steps to take. They could call Mr. Pinckney [Gen. Thomas Pinckney, American Minister in England] to their councils, and it would be of use, on many accounts, that one of them should come over from Holland to France. Perhaps a long truce, were it proposed by the neutral powers, would have all the effects of a Peace, without the difficulties attending the adjustment of all the forms of Peace.

Yours affectionately,

THOMAS PAINE.

XVIII.

LETTER TO DANTON.[1]

PARIS, May 6, 2nd year of the Republic. [1793.]

CITOYEN DANTON: As you read English, I write this letter to you without passing it through the hands of a translator. I am exceedingly disturbed at the distractions, jealousies, discontents and uneasiness that reign among us, and which, if they continue, will bring ruin and disgrace on the Republic. When I left America in the year 1787, it was my intention to return the year following, but the French Revolution, and the prospect it afforded of extending the principles of liberty and fraternity through the greater part of Europe, have induced me to prolong my stay upwards of six years. I now despair of seeing the great object of European liberty accomplished, and my despair arises not from the combined foreign powers, not from the intrigues of aristocracy and priestcraft, but from the tumultuous misconduct with which the internal affairs of the present revolution are conducted.

All that now can be hoped for is limited to France only, and I agree with your motion of not interfering in the gov-

[1] This admirable letter was brought to light by the late M. Taine, and first published in full by Taine's translator, John Durand ("New Materials for the History of the American Revolution," 1889). The letter to Marat mentioned by Paine has not been discovered. Danton followed Paine to prison, and on meeting him there said: "That which you did for the happiness and liberty of your country I tried to do for mine. I have been less fortunate, but not less innocent. They will send me to the scaffold; very well, my friend, I will go gaily." M. Taine in *La Révolution* (vol. ii., pp. 382. 413, 414) refers to this letter of Paine, and says: "Compared with the speeches and writings of the time, it produces the strangest effect by its practical good sense."—*Editor*.

ernment of any foreign country, nor permitting any foreign country to interfere in the government of France. This decree was necessary as a preliminary toward terminating the war. But while these internal contentions continue, while the hope remains to the enemy of seeing the Republic fall to pieces, while not only the representatives of the departments but representation itself is publicly insulted, as it has lately been and now is by the people of Paris, or at least by the tribunes, the enemy will be encouraged to hang about the frontiers and await the issue of circumstances.

I observe that the confederated powers have not yet recognized Monsieur, or D'Artois, as regent, nor made any proclamation in favour of any of the Bourbons; but this negative conduct admits of two different conclusions. The one is that of abandoning the Bourbons and the war together; the other is that of changing the object of the war and substituting a partition scheme in the place of their first object, as they have done by Poland. If this should be their object, the internal contentions that now rage will favour that object far more than it favoured their former object. The danger every day increases of a rupture between Paris and the departments. The departments did not send their deputies to Paris to be insulted, and every insult shown to them is an insult to the departments that elected and sent them. I see but one effectual plan to prevent this rupture taking place, and that is to fix the residence of the Convention, and of the future assemblies, at a distance from Paris.

I saw, during the American Revolution, the exceeding inconvenience that arose by having the government of Congress within the limits of any Municipal Jurisdiction. Congress first resided in Philadelphia, and after a residence of four years it found it necessary to leave it. It then adjourned to the State of Jersey. It afterwards removed to New York; it again removed from New York to Philadelphia, and after experiencing in every one of these places the great inconvenience of a government, it formed the project of building a Town, not within the limits of any

municipal jurisdiction, for the future residence of Congress. In any one of the places where Congress resided, the municipal authority privately or openly opposed itself to the authority of Congress, and the people of each of these places expected more attention from Congress than their equal share with the other States amounted to. The same thing now takes place in France, but in a far greater excess.

I see also another embarrassing circumstance arising in Paris of which we have had full experience in America. I mean that of fixing the price of provisions. But if this measure is to be attempted it ought to be done by the Municipality. The Convention has nothing to do with regulations of this kind; neither can they be carried into practice. The people of Paris may say they will not give more than a certain price for provisions, but as they cannot compel the country people to bring provisions to market the consequence will be directly contrary to their expectations, and they will find dearness and famine instead of plenty and cheapness. They may force the price down upon the stock in hand, but after that the market will be empty.

I will give you an example. In Philadelphia we undertook, among other regulations of this kind, to regulate the price of Salt; the consequence was that no Salt was brought to market, and the price rose to thirty-six shillings sterling per Bushel. The price before the war was only one shilling and sixpence per Bushel; and we regulated the price of flour (farina) till there was none in the market, and the people were glad to procure it at any price.

There is also a circumstance to be taken into the account which is not much attended to. The assignats are not of the same value they were a year ago, and as the quantity increases the value of them will diminish. This gives the appearance of things being dear when they are not so in fact, for in the same proportion that any kind of money falls in value articles rise in price. If it were not for this the quantity of assignats would be too great to be circulated. Paper money in America fell so much in value from this ex-

cessive quantity of it, that in the year 1781 I gave three hundred paper dollars for one pair of worsted stockings. What I write you upon this subject is experience, and not merely opinion. I have no personal interest in any of these matters, nor in any party disputes. I attend only to general principles.

As soon as a constitution shall be established I shall return to America; and be the future prosperity of France ever so great, I shall enjoy no other part of it than the happiness of knowing it. In the mean time I am distressed to see matters so badly conducted, and so little attention paid to moral principles. It is these things that injure the character of the Revolution and discourage the progress of liberty all over the world. When I began this letter I did not intend making it so lengthy, but since I have gone thus far I will fill up the remainder of the sheet with such matters as occur to me.

There ought to be some regulation with respect to the spirit of denunciation that now prevails. If every individual is to indulge his private malignancy or his private ambition, to denounce at random and without any kind of proof, all confidence will be undermined and all authority be destroyed. Calumny is a species of Treachery that ought to be punished as well as any other kind of Treachery. It is a private vice productive of public evils; because it is possible to irritate men into disaffection by continual calumny who never intended to be disaffected. It is therefore, equally as necessary to guard against the evils of unfounded or malignant suspicion as against the evils of blind confidence. It is equally as necessary to protect the characters of public officers from calumny as it is to punish them for treachery or misconduct. For my own part I shall hold it a matter of doubt, until better evidence arises than is known at present, whether Dumouriez has been a traitor from policy or resentment. There was certainly a time when he acted well, but it is not every man whose mind is strong enough to bear up against ingratitude, and I think he experienced a great deal of this before he revolted. Calumny becomes harmless and defeats itself, when

it attempts to act upon too large a scale. Thus the denunciation of the Sections [of Paris] against the twenty-two deputies [Girondists] falls to the ground. The departments that elected them are better judges of their moral and political characters than those who have denounced them. This denunciation will injure Paris in the opinion of the departments because it has the appearance of dictating to them what sort of deputies they shall elect. Most of the acquaintances that I have in the Convention are among those who are in that list, and I know there are not better men nor better patriots than what they are.

I have written a letter to Marat of the same date as this but not on the same subject. He may show it to you if he chuse.

Votre Ami,

THOMAS PAINE.

CITOYEN DANTON.

XIX.

A CITIZEN OF AMERICA TO THE CITIZENS OF EUROPE.[1]

18th Year of Independence.

UNDERSTANDING that a proposal is intended to be made at the ensuing meeting of the Congress of the United States of America "to send commissioners to Europe to confer with

[1] State Archives, Paris: États Unis, vol. 38, fol. 90. This pamphlet is in English, without indication of authorship or of the place of publication. It is accompanied by a French translation (MS.) inscribed "Par Thomas Payne." In the printed pamphlet the date (18th Year, etc.) is preceded by the French words (printed): "Philadelphie 28 Juillet 1793." It was no doubt the pamphlet sent by Paine to Monroe, with various documents relating to his imprisonment, describing it as "a Letter which I had printed here as an American letter, some copies of which I sent to Mr. Jefferson." A considerable portion of the pamphlet embodies, with occasional changes of phraseology, a manuscript (États Unis, vol. 37, Do. 39) endorsed: "January 1793. Thom. Payne. Copie. Observations on the situation of the Powers joined against France." This opens with the following paragraph: "It is always useful to know the position and the designs of one's enemies. It is much easier to do so by combining and comparing the events, and by examining the consequences which result from them, than by forming one's judgment by letters found or intercepted. These letters could be fabricated with the intention of deceiving, but events or circumstances have a character which is proper to them. If in the course of our political operations we mistake the designs of our enemy, it leads us to do precisely that which he desires we should do, and it happens by the fact, but against our intentions, that we work for him." That the date written on this MS. is erroneous appears by an allusion to the defeat of the Duke of York at Dunkirk in the closing paragraph: "There are three distinct parties in England at this moment: the government party, the revolutionary party, and an intermedial party,—which is only opposed to the war on account of the expense it entails, and the harm it does commerce and manufactures. I am speaking of the People, and not of the Parliament. The latter is divided into two parties: the Ministerial, and the Anti-ministerial. The revolutionary party, the intermedial party, and the anti-ministerial party, will all rejoice, publicly or privately, at the defeat of the Duke of York at Dunkirk." The two paragraphs quoted

the Ministers of all the Neutral Powers for the purpose of negotiating preliminaries of peace," I address this letter to you on that subject, and on the several matters connected therewith.

In order to discuss this subject through all its circumstances, it will be necessary to take a review of the state of Europe, prior to the French revolution. It will from thence appear, that the powers leagued against France are fighting to attain an object, which, were it possible to be attained, would be injurious to themselves.

This is not an uncommon error in the history of wars and governments, of which the conduct of the English government in the war against America is a striking instance. She commenced that war for the avowed purpose of subjugating America; and after wasting upwards of one hundred millions sterling, and then abandoning the object, she discovered, in the course of three or four years, that the prosperity of England was increased, instead of being diminished, by the independence of America. In short, every circumstance is pregnant with some natural effect, upon which intentions and opinions have no influence; and the political error lies in misjudging what the effect will be. England misjudged it in the American war, and the reasons I shall now offer will shew, that she misjudges it in the present war. In discussing this subject, I leave out of the question everything respecting forms and systems of government; for as all the governments of Europe differ from each other, there is no reason that the government of France should not differ from the rest.

The clamours continually raised in all the countries of Europe were, that the family of the Bourbons was become

represent the only actual additions to the pamphlet. I have a clipping from the London *Morning Chronicle* of Friday, April 25, 1794, containing the part of the pamphlet headed "Of the present state of Europe and the Confederacy," signed "Thomas Paine, Author of Common Sense, etc." On February 1, 1793, the Convention having declared war, appointed Paine, Barère, Condorcet and Faber, a Committee to draft an address to the English people. It was never done, but these fragments may represent notes written by Paine with reference to that task. The pamphlet probably appeared late in September, 1793.—*Editor.*

too powerful; that the intrigues of the court of France endangered the peace of Europe. Austria saw with a jealous eye the connection of France with Prussia; and Prussia, in her turn became jealous of the connection of France with Austria; England had wasted millions unsuccessfully in attempting to prevent the family compact with Spain; Russia disliked the alliance between France and Turkey; and Turkey became apprehensive of the inclination of France towards an alliance with Russia. Sometimes the quadruple alliance alarmed some of the powers, and at other times a contrary system alarmed others, and in all those cases the charge was always made against the intrigues of the Bourbons.

Admitting those matters to be true, the only thing that could have quieted the apprehensions of all those powers with respect to the interference of France, would have been her entire NEUTRALITY in Europe; but this was impossible to be obtained, or if obtained was impossible to be secured, because the genius of her government was repugnant to all such restrictions.

It now happens that by entirely changing the genius of her government, which France has done for herself, this neutrality, which neither wars could accomplish nor treaties secure, arises naturally of itself, and becomes the ground upon which the war should terminate. It is the thing that approaches the nearest of all others to what ought to be the political views of all the European powers; and there is nothing that can so effectually secure this neutrality, as that the genius of the French government should be different from the rest of Europe.

But if their object is to restore the Bourbons and monarchy together, they will unavoidably restore with it all the evils of which they have complained; and the first question of discord will be, whose ally is that monarchy to be?

Will England agree to the restoration of the family compact against which she has been fighting and scheming ever since it existed? Will Prussia agree to restore the alliance between France and Austria, or will Austria agree to restore

the former connection between France and Prussia, formed on purpose to oppose herself; or will Spain or Russia, or any of the maritime powers, agree that France and her navy should be allied to England? In fine, will any of the powers agree to strengthen the hands of the other against itself? Yet all these cases involve themselves in the original question of the restoration of the Bourbons; and on the other hand, all of them disappear by the neutrality of France.

If their object is not to restore the Bourbons, it must be the impracticable project of a partition of the country. The Bourbons will then be out of the question, or, more properly speaking, they will be put in a worse condition; for as the preservation of the Bourbons made a part of the first object, the extirpation of them makes a part of the second. Their pretended friends will then become interested in their destruction, because it is favourable to the purpose of partition that none of the nominal claimants should be left in existence.

But however the project of a partition may at first blind the eyes of the confederacy, or however each of them may hope to outwit the other in the progress or in the end, the embarrassments that will arise are insurmountable. But even were the object attainable, it would not be of such general advantage to the parties as the neutrality of France, which costs them nothing, and to obtain which they would formerly have gone to war.

OF THE PRESENT STATE OF EUROPE, AND THE CONFEDERACY.

In the first place the confederacy is not of that kind that forms itself originally by concert and consent. It has been forced together by chance—a heterogeneous mass, held only by the accident of the moment; and the instant that accident ceases to operate, the parties will retire to their former rivalships.

I will now, independently of the impracticability of a partition project, trace out some of the embarrassments which

will arise among the confederated parties; for it is contrary to the interest of a majority of them that such a project should succeed.

To understand this part of the subject it is necessary, in the first place, to cast an eye over the map of Europe, and observe the geographical situation of the several parts of the confederacy; for however strongly the passionate politics of the moment may operate, the politics that arise from geographical situation are the most certain, and will in all cases finally prevail.

The world has been long amused with what is called the "*balance of power.*" But it is not upon armies only that this balance depends. Armies have but a small circle of action. Their progress is slow and limited. But when we take maritime power into the calculation, the scale extends universally. It comprehends all the interests connected with commerce.

The two great maritime powers are England and France. Destroy either of those, and the balance of naval power is destroyed. The whole world of commerce that passes on the Ocean would then lie at the mercy of the other, and the ports of any nation in Europe might be blocked up.

The geographical situation of those two maritime powers comes next under consideration. Each of them occupies one entire side of the channel from the straits of Dover and Calais to the opening into the Atlantic. The commerce of all the northern nations, from Holland to Russia, must pass the straits of Dover and Calais, and along the Channel, to arrive at the Atlantic.

This being the case, the systematical politics of all the nations, northward of the straits of Dover and Calais, can be ascertained from their geographical situation; for it is necessary to the safety of their commerce that the two sides of the Channel, either in whole or in part, should not be in the possession either of England or France. While one nation possesses the whole of one side, and the other nation the other side, the northern nations cannot help seeing that in any situation of things their commerce will always find pro-

tection on one side or the other. It may sometimes be that of England and sometimes that of France.

Again, while the English navy continues in its present condition, it is necessary that another navy should exist to controul the universal sway the former would otherwise have over the commerce of all nations. France is the only nation in Europe where this balance can be placed. The navies of the North, were they sufficiently powerful, could not be sufficiently operative. They are blocked up by the ice six months in the year. Spain lies too remote; besides which, it is only for the sake of her American mines that she keeps up her navy.

Applying these cases to the project of a partition of France, it will appear, that the project involves with it a DESTRUCTION OF THE BALANCE OF MARITIME POWER; because it is only by keeping France entire and indivisible that the balance can be kept up. This is a case that at first sight lies remote and almost hidden. But it interests all the maritime and commercial nations in Europe in as great a degree as any case that has ever come before them.—In short, it is with war as it is with law. In law, the first merits of the case become lost in the multitude of arguments; and in war they become lost in the variety of events. New objects arise that take the lead of all that went before, and everything assumes a new aspect. This was the case in the last great confederacy in what is called the succession war, and most probably will be the case in the present.

I have now thrown together such thoughts as occurred to me on the several subjects connected with the confederacy against France, and interwoven with the interest of the neutral powers. Should a conference of the neutral powers take place, these observations will, at least, serve to generate others. The whole matter will then undergo a more extensive investigation than it is in my power to give; and the evils attending upon either of the projects, that of restoring the Bourbons, or of attempting a partition of France, will have the calm opportunity of being fully discussed.

On the part of England, it is very extraordinary that she

should have engaged in a former confederacy, and a long expensive war, to *prevent* the family compact, and now engage in another confederacy to *preserve* it. And on the part of the other powers, it is as inconsistent that they should engage in a partition project, which, could it be executed, would immediately destroy the balance of maritime power in Europe, and would probably produce a second war, to remedy the political errors of the first.

A CITIZEN OF THE UNITED STATES OF AMERICA.

XX.

APPEAL TO THE CONVENTION.[1]

CITIZENS REPRESENTATIVES: If I should not express myself with the energy I used formerly to do, you will attribute it to the very dangerous illness I have suffered in the prison of the Luxembourg. For several days I was insensible of my own existence; and though I am much recovered, it is with exceeding great difficulty that I find power to write you this letter.

But before I proceed further, I request the Convention to observe: that this is the first line that has come from me, either to the Convention or to any of the Committees, since my imprisonment,—which is approaching to eight months. —Ah, my friends, eight months' loss of liberty seems almost a life-time to a man who has been, as I have been, the unceasing defender of Liberty for twenty years.

I have now to inform the Convention of the reason of my not having written before. It is a year ago that I had strong reason to believe that Robespierre was my inveterate enemy, as he was the enemy of every man of virtue and humanity. The address that was sent to the Convention some time about last August from Arras, the native town of

[1] Written in Luxembourg prison, August 7, 1794. Robespierre having fallen July 29th, those who had been imprisoned under his authority were nearly all at once released, but Paine remained. There were still three conspirators against him on the Committee of Public Safety, and to that Committee this appeal was unfortunately confided; consequently it never reached the Convention. The circumstances are related at length *infra*, in the introduction to the Memorial to Monroe (XXI.). It will also be seen that Paine was mistaken in his belief that his imprisonment was due to the enmity of Robespierre, and this he vaguely suspected when his imprisonment was prolonged three months after Robespierre's death.—*Editor.*

Robespierre, I have always been informed was the work of that hypocrite and the partizans he had in the place. The intention of that address was to prepare the way for destroying me, by making the people declare (though without assigning any reason) that I had lost their confidence; the Address, however, failed of success, as it was immediately opposed by a counter-address from St. Omer, which declared the direct contrary. But the strange power that Robespierre, by the most consummate hypocrisy and the most hardened cruelties, had obtained, rendered any attempt on my part to obtain justice not only useless but dangerous; for it is the nature of Tyranny always to strike a deeper blow when any attempt has been made to repel a former one. This being my situation, I submitted with patience to the hardness of my fate and waited the event of brighter days. I hope they are now arrived to the nation and to me.

Citizens, when I left the United States in the year 1787 I promised to all my friends that I would return to them the next year; but the hope of seeing a revolution happily established in France, that might serve as a model to the rest of Europe,[1] and the earnest and disinterested desire of rendering every service in my power to promote it, induced me to defer my return to that country, and to the society of my friends, for more than seven years. This long sacrifice of private tranquillity, especially after having gone through the fatigues and dangers of the American Revolution which continued almost eight years, deserved a better fate than the long imprisonment I have silently suffered. But it is not the nation but a faction that has done me this injustice. Parties and Factions, various and numerous as they have been, I have always avoided. My heart was devoted to all France, and the object to which I applied myself was the Constitution. The Plan which I proposed to the Commit-

[1] Revolutions have now acquired such sanguinary associations that it is important to bear in mind that by "revolution" Paine always means simply a change or reformation of government, which might be and ought to be bloodless. See "Rights of Man," Part II., vol. ii. of this work, pp. 513, 523.—*Editor*.

tee, of which I was a member, is now in the hands of Barère, and it will speak for itself.

It is perhaps proper that I inform you of the cause assigned in the order for my imprisonment. It is that I am 'a Foreigner'; whereas, the *Foreigner* thus imprisoned was invited into France by a decree of the late National Assembly, and that in the hour of her greatest danger, when invaded by Austrians and Prussians. He was, moreover, a citizen of the United States of America, an ally of France, and not a subject of any country in Europe, and consequently not within the intentions of any decree concerning Foreigners. But any excuse can be made to serve the purpose of malignity when in power.

I will not intrude on your time by offering any apology for the broken and imperfect manner in which I have expressed myself. I request you to accept it with the sincerity with which it comes from my heart; and I conclude with wishing Fraternity and prosperity to France, and union and happiness to her representatives.

Citizens, I have now stated to you my situation, and I can have no doubt but your justice will restore me to the Liberty of which I have been deprived.

THOMAS PAINE.

LUXEMBOURG, Thermidor 19,
2nd Year of the French Republic,
one and indivisible.

XXI.

THE MEMORIAL TO MONROE.

EDITOR'S HISTORICAL INTRODUCTION.

THE Memorial is here printed from the manuscript of Paine now among the Morrison Papers, in the British Museum,—no doubt the identical document penned in Luxembourg prison. The paper in the United States State Department (vol. vii., Monroe Papers) is accompanied by a note by Monroe: "Mr. Paine, Luxembourg, on my arrival in France, 1794. My answer was after the receipt of his second letter. It is thought necessary to print only those parts of his that relate directly to his confinement, and to omit all between the parentheses in each." The paper thus inscribed seems to have been a wrapper for all of Paine's letters. An examination of the MS. at Washington does not show any such "parentheses," indicating omissions, whereas that in the British Museum has such marks, and has evidently been prepared for the press,—being indeed accompanied by the long title of the French pamphlet. There are other indications that the British Museum MS. is the original Memorial from which was printed in Paris the pamphlet entitled:

"Mémoire de Thomas Payne, autographe et signé de sa main: addressé à M. Monroe, ministre des États-unis en france, pour réclamer sa mise en liberté comme citoyen Américain, 10 Sept. 1794. Robespierre avait fait arretêr Th. Payne, en 1793—il fut conduit au Luxembourg où le glaive fut longtemps suspendu sur sa tête. Après onze mois de captivité, il recouvra la liberté, sur la réclamation du ministre Américain—c'était après la chûte de Robespierre—il reprit sa place à la convention, le 8 decembre 1794. (18 frimaire an iii.) Ce Mémoire contient des renseigne-

mens curieux sur la conduite politique de Th. Payne en france, pendant la Révolution, et à l'époque du procès de Louis XVI. Ce n'est point, dit il, comme Quaker, qu'il ne vota pas La Mort du Roi mais par un sentiment d'humanité, qui ne tenait point à ses principes réligieux. Villenave."

No date is given, but the pamphlet probably appeared early in 1795. Matthieu Gillaume Thérèse Villenave (b. 1762, d. 1846) was a journalist, and it will be noticed that he, or the translator, modifies Paine's answer to Marat about his Quakerism. There are some loose translations in the cheap French pamphlet, but it is the only publication which has given Paine's Memorial with any fulness. Nearly ten pages of the manuscript were omitted from the Memorial when it appeared as an Appendix to the pamphlet entitled "Letter to George Washington, President of the United States of America, on Affairs public and private. By Thomas Paine, Author of the Works entitled, Common Sense, Rights of Man, Age of Reason, &c. Philadelphia: Printed by Benj. Franklin Bache, No. 112 Market Street. 1796. [Entered according to law.]" This much-abridged copy of the Memorial has been followed in all subsequent editions, so that the real document has not hitherto appeared.[1]

In appending the Memorial to his "Letter to Washington," Paine would naturally omit passages rendered unimportant by his release, but his friend Bache may have suppressed others that might have embarrassed American partisans of France, such as the scene at the king's trial.

[1] Bache's pamphlet reproduces the portrait engraved in Villenave, where it is underlined: "Peint par Ped [Peale] à Philadelphie, Dessiné par F. Bonneville, Gravé par Sandoz." In Bache it is: "Bolt sc. 1793"; and beneath this the curious inscription: "Thomas Paine. Secretair d. Americ: Congr: 1780. Mitgl: d. fr. Nat. Convents. 1793." The portrait is a variant of that now in Independence Hall, and one of two painted by C. W. Peale. The other (in which the chin is supported by the hand) was for religious reasons refused by the Boston Museum when it purchased the collection of "American Heroes" from Rembrandt Peale. It was bought by John McDonough, whose brother sold it to Mr. Joseph Jefferson, the eminent actor, and perished when his house was burned at Buzzard's Bay. Mr. Jefferson writes me that he meant to give the portrait to the Paine Memorial Society, Boston; "but the cruel fire roasted the splendid *Infidel*, so I presume the saints are satisfied."

This description, however, and a large proportion of the suppressed pages, are historically among the most interesting parts of the Memorial, and their restoration renders it necessary to transfer the document from its place as an appendix to that of a preliminary to the "Letter to Washington."

Paine's Letter to Washington burdens his reputation to-day more, probably, than any other production of his pen. The traditional judgment was formed in the absence of many materials necessary for a just verdict. The editor feels under the necessity of introducing at this point an historical episode; he cannot regard it as fair to the memory of either Paine or Washington that these two chapters should be printed without a full statement of the circumstances, the most important of which, but recently discovered, were unknown to either of those men. In the editor's "Life of Thomas Paine" (ii., pp. 77–180) newly discovered facts and documents bearing on the subject are given, which may be referred to by those who desire to investigate critically such statements as may here appear insufficiently supported. Considerations of space require that the history in that work should be only summarized here, especially as important new details must be added.

Paine was imprisoned (December 28, 1793) through the hostility of Gouverneur Morris, the American Minister in Paris. The fact that the United States, after kindling revolution in France by its example, was then represented in that country by a Minister of vehement royalist opinions, and one who literally entered into the service of the King to defeat the Republic, has been shown by that Minister's own biographers. Some light is cast on the events that led to this strange situation by a letter written to M. de Montmorin, Minister of Foreign Affairs, by a French Chargé d'Affaires, Louis Otto, dated Philadelphia, 10 March, 1792. Otto, a nobleman who married into the Livingston family, was an astute diplomatist, and enjoyed the intimacy of the Secretary of State, Jefferson, and of his friends. At the close of a long interview Jefferson tells him that "The secresy with which the Senate covers its

deliberations serves to veil personal interest, which reigns therein in all its strength." Otto explains this as referring to the speculative operations of Senators, and to the commercial connections some of them have with England, making them unfriendly to French interests.

"Among the latter the most remarkable is Mr. Robert Morris, of English birth, formerly Superintendent of Finance, a man of greatest talent, whose mercantile speculations are as unlimited as his ambition. He directs the Senate as he once did the American finances in making it keep step with his policy and his business. . . . About two years ago Mr. Robert Morris sent to France Mr. Gouverneur Morris to negotiate a loan in his name, and for different other personal matters. . . . During his sojourn in France, Mr. Rob. Morris thought he could make him more useful for his aims by inducing the President of the United States to entrust him with a negotiation with England relative to the Commerce of the two countries. M. Gouv. Morris acquitted himself in this as an adroit man, and with his customary zeal, but despite his address (*insinuation*) obtained only the vague hope of an advantageous commercial treaty on condition of an *Alliance resembling that between France and the United States.* . . . [Mr. Robert Morris] is himself English, and interested in all the large speculations founded in this country for Great Britain. . . . His great services as Superintendent of Finance during the Revolution have assured him the esteem and consideration of General Washington, who, however, is far from adopting his views about France. The warmth with which Mr. Rob. Morris opposed in the Senate the exemption of French *armateurs* from tonnage, demanded by His Majesty, undoubtedly had for its object to induce the king, by this bad behavior, to break the treaty, in order to facilitate hereafter the negotiations begun with England to form an alliance. As for Mr. Gouv. Morris he is entirely devoted to his correspondent, with whom he has been constantly connected in business and opinion. His great talents are recognized, and his extreme quickness in conceiving new schemes and gaining others to them. He is perhaps the most eloquent and ingenious man of his country, but his countrymen themselves distrust his talents. They admire but fear him."[1]

[1] Archives of the State Department, Paris, États Unis., vol. 35, fol. 301.

The Commission given to Gouverneur Morris by Washington, to which Otto refers, was in his own handwriting, dated October 13, 1789, and authorized him

"in the capacity of private agent, and in the credit of this letter, to converse with His Britannic Majesty's ministers on these points, viz. whether there be any, and what objection to performing those articles of the treaty which remained to be performed on his part; and whether they incline to a treaty of commerce on any and what terms. This communication ought regularly to be made to you by the Secretary of State; but, that office not being at present filled, my desire of avoiding delays induces me to make it under my own hand."[1]

The President could hardly have assumed the authority of secretly appointing a virtual ambassador had there not been a tremendous object in view: this, as he explains in an accompanying letter, was to secure the evacuation by Great Britain of the frontier posts. This all-absorbing purpose of Washington is the key to his administration. Gouverneur Morris paved the way for Jay's treaty, and he was paid for it with the French mission. The Senate would not have tolerated his appointment to England, and only by a majority of four could the President secure his confirmation as Minister to France (January 12, 1792). The President wrote Gouverneur Morris (January 28th) a friendly lecture about the objections made to him, chiefly that he favored the aristocracy and was unfriendly to the revolution, and expressed "the fullest confidence" that, supposing the allegations founded, he would "effect a change." But Gouverneur Morris remained the agent of Senator Robert Morris, and still held Washington's mission to England, and he knew only as "conspirators" the rulers who succeeded Louis XVI. Even while utilizing them, he was an agent of Great Britain in its war against the country to which he was officially commissioned.

Lafayette wrote to Washington ("Paris, March 15, 1792") the following appeal:

[1] Ford's "Writings of George Washington" vol. xi., p. 440.

"Permit me, my dear General, to make an observation for yourself alone, on the recent selection of an American ambassador. Personally I am a friend of Gouverneur Morris, and have always been, in private, quite content with him; but the aristocratic and really contra-revolutionary principles which he has avowed render him little fit to represent the only government resembling ours. . . . I cannot repress the desire that American and French principles should be in the heart and on the lips of the ambassador of the United States in France."[1]

In addition to this, two successive Ministers from France, after the fall of the Monarchy, conveyed to the American Government the most earnest remonstrances against the continuance of Gouverneur Morris in their country, one of them reciting the particular offences of which he was guilty. The President's disregard of all these protests and entreaties, unexampled perhaps in history, had the effect of giving Gouverneur Morris enormous power over the country against which he was intriguing. He was recognized as the Irremovable. He represented Washington's fixed and unalterable determination, and this at a moment when the main purpose of the revolutionary leaders was to preserve the alliance with America. Robespierre at that time (1793) had special charge of diplomatic affairs, and it is shown by the French historian, Frédéric Masson, that he was very anxious to recover for the republic the initiative of the American alliance credited to the king; and "although their Minister, Gouverneur Morris, was justly suspected, and the American republic was at that time aiming only to utilize the condition of its ally, the French republic cleared it at a cheap rate of its debts contracted with the King."[2] Morris adroitly held this doubt, whether the alliance of his government with Louis XVI. would be continued to that King's executioners, over the head of the revolutionists, as a suspended sword. Under that menace, and with the authentication of being Washing-

[1] "Mémoires, etc., du Général Lafayette," Bruxelles, 1837, tome ii., pp. 484, 485.

[2] "Le Département des Affaires Étrangères pendant la Révolution," p. 295.

ton's irremovable mouthpiece, this Minister had only to speak and it was done.

Meanwhile Gouverneur Morris was steadily working in France for the aim which he held in common with Robert Morris, namely to transfer the alliance from France to England. These two nations being at war, it was impossible for France to fulfil all the terms of the alliance; it could not permit English ships alone to seize American provisions on the seas, and it was compelled to prevent American vessels from leaving French ports with cargoes certain of capture by British cruisers. In this way a large number of American Captains with their ships were detained in France, to their distress, but to their Minister's satisfaction. He did not fail to note and magnify all "infractions" of the treaty, with the hope that they might be the means of annulling it in favor of England, and he did nothing to mitigate sufferings which were counts in his indictment of the Treaty.

It was at this point that Paine came in the American Minister's way. He had been on good terms with Gouverneur Morris, who in 1790 (May 29th) wrote from London to the President:

"On the 17th Mr. Paine called to tell me that he had conversed on the same subject [impressment of American seamen] with Mr. Burke, who had asked him if there was any minister, consul, or other agent of the United States who could properly make application to the Government: to which he had replied in the negative; but said that I was here, who had been a member of Congress, and was therefore the fittest person to step forward. In consequence of what passed thereupon between them he [Paine] urged me to take the matter up, which I promised to do. On the 18th I wrote to the Duke of Leeds requesting an interview." [1]

At that time (1790) Paine was as yet a lion in London, thus able to give Morris a lift. He told Morris, in 1792 that he considered his appointment to France a mistake. This was only on the ground of his anti-republican opinions; he never dreamed of the secret commissions to England. He could

[1] Force's "American State Papers, For. Rel.," vol. i., p. 121.

not have supposed that the Minister who had so promptly presented the case of impressed seamen in England would not equally attend to the distressed Captains in France; but these, neglected by their Minister, appealed to Paine. Paine went to see Morris, with whom he had an angry interview, during which he asked Morris "if he did not feel ashamed to take the money of the country and do nothing for it." Paine thus incurred the personal enmity of Gouverneur Morris. By his next step he endangered this Minister's scheme for increasing the friction between France and America; for Paine advised the Americans to appeal directly to the Convention, and introduced them to that body, which at once heeded their application, Morris being left out of the matter altogether. This was August 22d, and Morris was very angry. It is probable that the Americans in Paris felt from that time that Paine was in danger, for on September 13th a memorial, evidently concocted by them, was sent to the French government proposing that they should send Commissioners to the United States to forestall the intrigues of England, and that Paine should go with them, and set forth their case in the journals, as he "has great influence with the people." This looks like a design to get Paine safely out of the country, but it probably sealed his fate. Had Paine gone to America and reported there Morris's treacheries to France and to his own country, and his licentiousness, notorious in Paris, which his diary has recently revealed to the world, the career of the Minister would have swiftly terminated. Gouverneur Morris wrote to Robert Morris that Paine was intriguing for his removal, and intimates that he (Paine) was ambitious of taking his place in Paris. Paine's return to America must be prevented.

Had the American Minister not been well known as an enemy of the republic it might have been easy to carry Paine from the Convention to the guillotine; but under the conditions the case required all of the ingenuity even of a diplomatist so adroit as Gouverneur Morris. But fate had played into his hand. It so happened that Louis Otto, whose letter from Philadelphia has been quoted, had become chief secre-

tary to the Minister of Foreign Affairs in Paris, M. Deforgues. This Minister and his Secretary, apprehending the fate that presently overtook both, were anxious to be appointed to America. No one knew better than Otto the commanding influence of Gouverneur Morris, as Washington's "irremovable" representative, both in France and America, and this desire of the two frightened officials to get out of France was confided to him.[1] By hope of his aid, and by this compromising confidence, Deforgues came under the power of a giant who used it like a giant. Morris at once hinted that Paine was fomenting the troubles given by Genêt to Washington in America, and thus set in motion the procedure by which Paine was ultimately lodged in prison.

There being no charge against Paine in France, and no ill-will felt towards him by Robespierre, compliance with the supposed will of Washington was in this case difficult. Six months before, a law had been passed to imprison aliens of hostile nationality, which could not affect Paine, he being a member of the Convention and an American. But a decree was passed, evidently to reach Paine, "that no foreigner should be admitted to represent the French people"; by this he was excluded from the Convention, and the Committee of General Surety enabled to take the final step of assuming that he was an Englishman, and thus under the decree against aliens of hostile nations.[2]

[1] Letter of Gouverneur Morris to Washington, Oct. 19, 1793. Sparks's "Life of Gouverneur Morris," vol. ii., p. 375.

[2] Although, as I have said, there was no charge against Paine in France, and none assigned in any document connected with his arrest, some kind of insinuation had to be made in the Convention to cover proceedings against a Deputy, and Bourdon de l'Oise said, "I know that he has intrigued with a former agent of the bureau of Foreign Affairs." It will be seen by the third *addendum* to the Memorial to Monroe that Paine supposed this to refer to Louis Otto, who had been his interpreter in an interview requested by Barère, of the Committee of Public Safety. But as Otto was then, early in September, 1793, Secretary in the Foreign Office, and Barère a fellow-terrorist of Bourdon, there could be no accusation based on an interview which, had it been probed, would have put Paine's enemies to confusion. It is doubtful, however, if Paine was right in his conjecture. The reference of Bourdon was probably to the collusion between Paine and Genêt suggested by Morris.

Paine was thus lodged in prison simply to please Washington, to whom it was left to decide whether he had been rightly represented by his Minister in the case. When the large number of Americans in Paris hastened in a body to the Convention to demand his release, the President (Vadier) extolled Paine, but said his birth in England brought him under the measures of safety, and referred them to the Committees. There they were told that " their reclamation was only the act of individuals, without any authority from the American Government." Unfortunately the American petitioners, not understanding by this a reference to the President, unsuspiciously repaired to Morris, as also did Paine by letter. The Minister pretended compliance, thereby preventing their direct appeal to the President. Knowing, however, that America would never agree that nativity under the British flag made Paine any more than other Americans a citizen of England, the American Minister came from Sainport, where he resided, to Paris, and secured from the obedient Deforgues a certificate that he had reclaimed Paine as an American citizen, but that he was held as a *French* citizen. This ingeniously prepared certificate which was sent to the Secretary of State (Jefferson), and Morris's pretended " reclamation," *which was never sent to America*, are translated in my " Life of Paine," and here given in the original.

À Paris le 14 fevrier 1794, 26 pluviose.

Le Ministre plenipotentiaire des États Unis de l'Amérique près la République française au Ministre des Affaires Étrangères.

Monsieur :

Thomas Paine vient de s'adresser à moi pour que je le réclame comme Citoyen des États Unis. Voici (je crois) les Faits que le regardent. Il est né en Angleterre. Devenu ensuite Citoyen des États Unis il s'y est acquise une grande célébrite par des Écrits révolutionnaires. En consequence il fût adopté Citoyen français et ensuite élu membre de la Convention. Sa conduite depuis cette époque n'est pas de mon ressort. J'ignore la cause de sa Détention actuelle dans la prison du Luxembourg, mais je vous prie Monsieur (si des raisons que ne me sont pas connues s'opposent à sa

liberation) de vouloir bien m'en instruire pour que je puisse les communiquer au Gouvernement des États Unis.

J'ai l'honneur d'être, Monsieur,

Votre très humble Serviteur

GOUV. MORRIS.

PARIS, 1 Ventose l'An 2d. de la République une et indivisible.

Le Ministre des Affaires Étrangères au Ministre Plénipotentiaire des États Unis de l'Amérique près la Rèpublique Française.

Par votre lettre du 26 du mois dernier, vous réclamez la liberté de Thomas Paine, comme Citoyen américain. Né en Angleterre, cet ex-deputé est devenu successivement Citoyen Américain et Citoyen français. En acceptant ce dernier titre et en remplissant une place dans le Corps Legislatif, il est soumis aux lois de la République et il a renoncé de fait à la protection que le droit des gens et les traités conclus avec les États Unis auraient pu lui assurer.

J'ignore les motifs de sa détention mais je dois présumer qúils bien fondés. Je vois neanmoins soumettre au Comité de Salut Public la démande que vous m'avez adressée et je m'empresserai de vous faire connaître sa décision.

DEFORGUES.[1]

[1] Archives of the Foreign Office, Paris, "États Unis," vol. xl. TRANSLATIONS:—MORRIS: "Sir,—Thomas Paine has just applied to me to claim him as a citizen of the United States. Here (I believe) are the facts relating to him. He was born in England. Having afterwards become a citizen of the United States, he acquired great celebrity there by his revolutionary writings. In consequence he was adopted a French citizen and then elected Member of the Convention. His conduct since this epoch is out of my jurisdiction. I am ignorant of the reason for his present detention in the Luxembourg prison, but I beg you, sir (if reasons unknown to me prevent his liberation), be so good as to inform me, that I may communicate them to the government of the United States." DEFORGUES: "By your letter of the 26th of last month you reclaim the liberty of Thomas Paine as an American citizen. Born in England, this ex-deputy has become successively an American and a French citizen. In accepting this last title, and in occupying a place in the Corps Legislatif he submitted himself to the laws of the Republic, and has certainly renounced the protection which the law of nations, and treaties concluded with the United States, could have assured him. I am ignorant of the motives of his detention, but I must presume they are well founded. I shall nevertheless submit to the Committee of Public Safety the demand you have addressed to me, and I shall lose no time in letting you know its decision."

It will be seen that Deforgues begins his letter with a falsehood: "You reclaim the liberty of Paine as an American citizen." Morris's letter had declared him a French citizen out of his (the American Minister's) "jurisdiction." Morris states for Deforgues his case, and it is obediently adopted, though quite discordant with the decree, which imprisoned Paine as a foreigner. Deforgues also makes Paine a member of a non-existent body, the "Corps Legislatif," which might suggest in Philadelphia previous connection with the defunct Assembly. No such inquiries as Deforgues promised, nor any, were ever made, and of course none were intended. Morris had got from Deforgues the certificate he needed to show in Philadelphia and to Americans in Paris. His pretended "reclamation" was of course withheld: no copy of it ever reached America till brought from French archives by the present writer. Morris does not appear to have ventured even to keep a copy of it himself. The draft (presumably in English), found among his papers by Sparks, alters the fatal sentence which deprived Paine of his American citizenship and of protection. "Ressort"—jurisdiction—which has a definite technical meaning in the mouth of a Minister, is changed to "cognizance"; the sentence is made to read, "his conduct from that time has not come under my cognizance." (Sparks's "Life of Gouverneur Morris," i., p. 401). Even as it stands in his book, Sparks says: "The application, it must be confessed, was neither pressing in its terms, nor cogent in its arguments."

The American Minister, armed with this French missive, dictated by himself, enclosed it to the Secretary of State, whom he supposed to be still Jefferson, with a letter stating that he had reclaimed Paine as an American, that he (Paine) was held to answer for "crimes," and that any further attempt to release him would probably be fatal to the prisoner. By these falsehoods, secured from detection by the profound secrecy of the Foreign Offices in both countries, Morris paralyzed all interference from America, as Washington could not of course intervene in behalf of an

American charged with "crimes" committed in a foreign country, except to demand his trial. But it was important also to paralyze further action by Americans in Paris, and to them, too, was shown the French certificate of a reclamation never made. A copy was also sent to Paine, who returned to Morris an argument which he entreated him to embody in a further appeal to the French Minister. This document was of course buried away among the papers of Morris, who never again mentioned Paine in any communication to the French government, but contented himself with personal slanders of his victim in private letters to Washington's friend, Robert Morris, and no doubt others. I quote Sparks's summary of the argument unsuspectingly sent by Paine to Morris:

"He first proves himself to have been an American citizen, a character of which he affirms no subsequent act had deprived him. The title of French citizen was a mere nominal and honorary one, which the Convention chose to confer, when they asked him to help them in making a Constitution. But let the nature or honor of the title be what it might, the Convention had taken it away of their own accord. 'He was excluded from the Convention on the motion for excluding *foreigners*. Consequently he was no longer under the law of the Republic as a *citizen*, but under the protection of the Treaty of Alliance, as fully and effectually as any other citizen of America. It was therefore the duty of the American Minister to demand his release.'"

To this Sparks adds:

"Such is the drift of Paine's argument, and it would seem indeed that he could not be a foreigner and a citizen at the same time. It was hard that his only privilege of citizenship should be that of imprisonment. But this logic was a little too refined for the revolutionary tribunals of the Jacobins in Paris, and Mr. Morris well knew it was not worth while to preach it to them. He did not believe there was any serious design at that time against the life of the prisoner, and he considered his best chance of safety to be in preserving silence for the present. Here the

matter rested, and Paine was left undisturbed till the arrival of Mr. Monroe, who procured his discharge from confinement." ("Life of Gouverneur Morris," i., p. 417.)[1]

Sparks takes the gracious view of the man whose Life he was writing, but the facts now known turn his words to sarcasm. The Terror by which Paine suffered was that of Morris, who warned him and his friends, both in Paris and America, that if his case was stirred the knife would fall on him. Paine declares (see xx.) that this danger kept him silent till after the fall of Robespierre. None knew so well as Morris that there were no charges against Paine for offences in France, and that Robespierre was awaiting that action by Washington which he (Morris) had rendered impossible. Having thus suspended the knife over Paine for six months, Robespierre interpreted the President's silence, and that of Congress, as confirmation of Morris's story, and resolved on the execution of Paine "in the interests of America as well as of France"; in other words to conciliate Washington to the endangered alliance with France.

Paine escaped the guillotine by the strange accident related in a further chapter. The fall of Robespierre did not of course end his imprisonment, for he was not Robespierre's but Washington's prisoner. Morris remained Minister in France nearly a month after Robespierre's death, but the word needed to open Paine's prison was not spoken. After his recall, had Monroe been able at once to liberate Paine, an investigation must have followed, and Morris would

[1] There is no need to delay the reader here with any argument about Paine's unquestionable citizenship, that point having been settled by his release as an American, and the sanction of Monroe's action by his government. There was no genuineness in any challenge of Paine's citizenship, but a mere desire to do him an injury. In this it had marvellous success. Ten years after Paine had been reclaimed by Monroe, with the sanction of Washington, as an American citizen, his vote was refused at New Rochelle, New York, by the supervisor, Elisha Ward, on the ground that Washington and Morris had refused to reclaim him. Under his picture of the dead Paine, Jarvis, the artist, wrote: "A man who devoted his whole life to the attainment of two objects—rights of man, and freedom of conscience—had his vote denied when living, and was denied a grave when dead."—*Editor*.

probably have taken his prisoner's place in the Luxembourg. But Morris would not present his letters of recall, and refused to present his successor, thus keeping Monroe out of his office four weeks. In this he was aided by Bourdon de l'Oise (afterwards banished as a royalist conspirator, but now a commissioner to decide on prisoners); also by tools of Robespierre who had managed to continue on the Committee of Public Safety by laying their crimes on the dead scapegoat—Robespierre. Against Barère (who had signed Paine's death-warrant), Billaud-Varennes, and Colloit d'Herbois, Paine, if liberated, would have been a terrible witness. The Committee ruled by them had suppressed Paine's appeal to the Convention, as they presently suppressed Monroe's first appeal. Paine, knowing that Monroe had arrived, but never dreaming that the manœuvres of Morris were keeping him out of office, wrote him from prison the following letters, hitherto unpublished.

August 17th, 1794.

My Dear Sir: As I believe none of the public papers have announced your name right I am unable to address you by it, but a *new* minister from America is joy to me and will be so to every American in France.

Eight months I have been imprisoned, and I know not for what, except that the order says that I am a Foreigner. The Illness I have suffered in this place (and from which I am but just recovering) had nearly put an end to my existence. My life is but of little value to me in this situation tho' I have borne it with a firmness of patience and fortitude.

I enclose you a copy of a letter, (as well the translation as the English)—which I sent to the Convention after the fall of the Monster Robespierre—for I was determined not to write a line during the time of his detestable influence. I sent also a copy to the Committee of public safety—but I have not heard any thing respecting it. I have now no expectation of delivery but by your means—*Morris has been my inveterate enemy, and I think he has permitted something of the national*

Character of America to suffer by quietly letting a Citizen of that Country remain almost eight months in prison without making every official exertion to procure him justice,—for every act of violence offered to a foreigner is offered also to the Nation to which he belongs.

The gentleman, Mr. Beresford, who will present you this has been very friendly to me.[1] Wishing you happiness in your appointment, I am your affectionate friend and humble servant.

August 18th, 1794.

DEAR SIR: In addition to my letter of yesterday (sent to Mr. Beresford to be conveyed to you but which is delayed on account of his being at St. Germain) I send the following memoranda.

I was in London at the time I was elected a member of this Convention. I was elected a Deputé in four different departments without my knowing any thing of the matter, or having the least idea of it. The intention of electing the Convention before the time of the former Legislature expired, was for the purpose of reforming the Constitution or rather for forming a new one. As the former Legislature shewed a disposition that I should assist in this business of the new Constitution, they prepared the way by voting me a French Citoyen (they conferred the same title on General Washington and certainly I had no more idea than he had of vacating any part of my real Citizenship of America for a nominal one in france, especially at a time when she did not know whether she would be a Nation or not, and had it not even in her power to promise me protection). I was elected (the second person in number of Votes, the Abbé Sièyes being first) a member for forming the Constitution, and every American in Paris as well as my other acquaintance knew that it was my intention to return to America as soon as the Constitution should be established. The violence of Party soon began to shew itself in the Convention, but it was impossible for me to see upon what principle they differed—

[1] A friendly lamp-lighter, alluded to in the Letter to Washington, conveyed this letter to Mr. Beresford.—*Editor.*

unless it was a contention for power. I acted however as I did in America, I connected myself with no Party, but considered myself altogether a National Man—but the case with Parties generally is that when you are not with one you are supposed to be with the other.

I was taken out of bed between three and four in the morning on the 28 of December last, and brought to the Luxembourg—without any other accusation inserted in the order than that I was a foreigner; a motion having been made two days before in the Convention to expel Foreigners therefrom. I certainly then remained, even upon their own tactics, what I was before, a Citizen of America.

About three weeks after my imprisonment the Americans that were in Paris went to the bar of the Convention to reclaim me, but contrary to my advice, they made their address into a Petition, and it miscarried. I then applied to G. Morris, to reclaim me as an official part of his duty, which he found it necessary to do, and here the matter stopt.[1] I have not heard a single line or word from any American since, which is now seven months. I rested altogether on the hope that a new Minister would arrive from America. I have escaped with life from more dangers than one. Had it not been for the fall of Roberspierre and your timely arrival I know not what fate might have yet attended me. There seemed to be a determination to destroy all the Prisoners without regard to merit, character, or any thing else. During the time I laid at the height of my illness they took, in one night only, 169 persons out of this prison and executed all but eight. The distress that I have suffered at being obliged to exist in the midst of such horrors, exclusive of my own precarious situation, suspended as it were by the single thread of accident, is greater than it is possible you can conceive—but thank God times are at last changed, and I hope that your Authority will release me from this unjust imprisonment.

[1] The falsehood told Paine, accompanied by an intimation of danger in pursuing the pretended reclamation, was of course meant to stop any further action by Paine or his friends.—*Editor.*

August 25, 1794.

My Dear Sir: Having nothing to do but to sit and think, I will write to pass away time, and to say that I am still here. I have received two notes from Mr. Beresford which are encouraging (as the generality of notes and letters are that arrive to persons here) but they contain nothing explicit or decisive with respect to my liberation, and *I shall be very glad to receive a line from yourself to inform me in what condition the matter stands.* If I only glide out of prison by a sort of accident America gains no credit by my liberation, neither can my attachment to her be increased by such a circumstance. She has had the services of my best days, she has my allegiance, she receives my portion of Taxes for my house in Borden Town and my farm at New Rochelle, and she owes me protection both at home and thro' her Ministers abroad, yet I remain in prison, in the face of her Minister, at the arbitrary will of a committee.

Excluded as I am from the knowledge of everything and left to a random of ideas, I know not what to think or how to act. Before there was any Minister here (for I consider Morris as none) and while the Robespierrian faction lasted, I had nothing to do but to keep my mind tranquil and expect the fate that was every day inflicted upon my comrades, not individually but by scores. Many a man whom I have passed an hour with in conversation I have seen marching to his destruction the next hour, or heard of it the next morning; for what rendered the scene more horrible was that they were generally taken away at midnight, so that every man went to bed with the apprehension of never seeing his friends or the world again.

I wish to impress upon you that all the changes that have taken place in Paris have been sudden. There is now a moment of calm, but if thro' any over complaisance to the persons you converse with on the subject of my liberation, you omit procuring it for me *now*, you may have to lament the fate of your friend when its too late. The loss of a Battle to the Northward or other possible accident may

happen to bring this about. I am not out of danger till I am out of Prison. Yours affectionately.

P. S.—I am now entirely without money. The Convention owes me 1800 livres salary which I know not how to get while I am here, nor do I know how to draw for money on the rent of my farm in America. It is under the care of my good friend General Lewis Morris. I have received no rent since I have been in Europe.

[Addressed] Minister Plenipotentiary from America,
Maison des Étrangers, Rue de la Loi, Rue Richelieu.

Such was the sufficiently cruel situation when there reached Paine in prison, September 4th, the letter of Peter Whiteside which caused him to write his Memorial. Whiteside was a Philadelphian whose bankruptcy in London had swallowed up some of Paine's means. His letter, reporting to Paine that he was not regarded by the American Government or people as an American citizen, and that no American Minister could interfere in his behalf, was evidently inspired by Morris who was still in Paris, the authorities being unwilling to give him a passport to Switzerland, as they knew he was going in that direction to join the conspirators against France. This Whiteside letter put Paine, and through him Monroe, on a false scent by suggesting that the difficulty of his case lay in a *bona fide* question of citizenship, whereas there never had been really any such question. The knot by which Morris had bound Paine was thus concealed, and Monroe was appealing to polite wolves in the interest of their victim. There were thus more delays, inexplicable alike to Monroe and to Paine, eliciting from the latter some heart-broken letters, not hitherto printed, which I add at the end of the Memorial. To add to the difficulties and dangers, Paris was beginning to be agitated by well-founded rumors of Jay's injurious negotiations in England, and a coldness towards Monroe was setting in. Had Paine's release been delayed much longer an American Minister's friendship might even have proved fatal. Of all this nothing could be known

to Paine, who suffered agonies he had not known during the Reign of Terror. The other prisoners of Robespierre's time had departed ; he alone paced the solitary corridors of the Luxembourg, chilled by the autumn winds, his cell fireless, unlit by any candle, insufficiently nourished, an abscess forming in his side; all this still less cruel than the feeling that he was abandoned, not only by Washington but by all America.

This is the man of whom Washington wrote to Madison nine years before: "Must the merits and services of 'Common Sense' continue to glide down the stream of time unrewarded by this country?" This, then, is his reward. To his old comrade in the battle-fields of Liberty, George Washington, Paine owed his ten months of imprisonment, at the end of which Monroe found him a wreck, and took him (November 4) to his own house, where he and his wife nursed him back into life. But it was not for some months supposed that Paine could recover; it was only after several relapses; and it was under the shadow of death that he wrote the letter to Washington so much and so ignorantly condemned. Those who have followed the foregoing narrative will know that Paine's grievances were genuine, that his infamous treatment stains American history; but they will also know that they lay chiefly at the door of a treacherous and unscrupulous American Minister.

Yet it is difficult to find an excuse for the retention of that Minister in France by Washington. On Monroe's return to America in 1797, he wrote a pamphlet concerning the mission from which he had been curtly recalled, in which he said:

"I was persuaded from Mr. Morris's known political character and principles, that his appointment, and especially at a period when the French nation was in a course of revolution from an arbitrary to a free government, would tend to discountenance the republican cause there and at home, and otherwise weaken, and greatly to our prejudice, the connexion subsisting between the two countries."

In a copy of this pamphlet found at Mount Vernon, Washington wrote on the margin of this sentence:

"Mr. Morris was known to be a man of first rate abilities; and his integrity and honor had never been impeached. Besides, Mr. Morris was sent whilst the kingly government was in existence, ye end of 91 or beginning of 92." [1]

But this does not explain why Gouverneur Morris was persistently kept in France after monarchy was abolished (September 21, 1792), or even after Lafayette's request for his removal, already quoted. To that letter of Lafayette no reply has been discovered. After the monarchy was abolished, Ternant and Genêt successively carried to America protests from their Foreign Office against the continuance of a Minister in France, who was known in Paris, and is now known to all acquainted with his published papers, to have all along made his office the headquarters of British intrigue against France, American interests being quite subordinated. Washington did not know this, but he might have known it, and his disregard of French complaints can hardly be ascribed to any other cause than his delusion that Morris was deeply occupied with the treaty negotiations confided to him. It must be remembered that Washington believed such a treaty with England to be the alternative of war.[2] On that apprehension the British party in America, and British agents, played to the utmost, and under such influences Washington sacrificed many old friendships,—with Jefferson, Madison, Monroe, Edmund Randolph, Paine,—and also the confidence of his own State, Virginia.

There is a traditional impression that Paine's angry letter to Washington was caused by the President's failure to interpose for his relief from prison. But Paine believed that the American Minister (Morris) had reclaimed him in some feeble fashion, as an American citizen, and he knew that the President had officially approved Monroe's action in securing his release. His grievance was that Washington, whose letters of friendship he cherished, who had extolled his services to America, should have manifested no concern personally,

[1] Washington's marginal notes on Monroe's "View, etc.," were first fully given in Ford's "Writings of Washington," vol. xiii., p. 452, *seq.*

[2] Ibid., p. 453.

made no use of his commanding influence to rescue him from daily impending death, sent to his prison no word of kindness or inquiry, and sent over their mutual friend Monroe without any instructions concerning him; and finally, that his private letter, asking explanation, remained unanswered. No doubt this silence of Washington concerning the fate of Paine, whom he acknowledged to be an American citizen, was mainly due to his fear of offending England, which had proclaimed Paine. The "outlaw's" imprisonment in Paris caused jubilations among the English gentry, and went on simultaneously with Jay's negotiations in London, when any expression by Washington of sympathy with Paine (certain of publication) might have imperilled the Treaty, regarded by the President as vital.

So anxious was the President about this, that what he supposed had been done for Paine by Morris, and what had really been done by Monroe, was kept in such profound secrecy, that even his Secretary of State, Pickering, knew nothing of it. This astounding fact I recently discovered in the manuscripts of that Secretary.[1] Colonel Pickering, while flattering enough to the President in public, despised his intellect, and among his papers is a memorandum concluding as follows:

"But when the hazards of the Revolutionary War had ended, by the establishment of our Independence, why was the knowledge of General Washington's comparatively defective mental powers not freely divulged? Why, even by the enemies of his civil administration were his abilities very tenderly glanced at? —Because there were few, if any men, who did not revere him for his distinguished virtues; his modesty—his unblemished integrity, his pure and disinterested patriotism. These virtues, of infinitely more value than exalted abilities without them, secured to him the veneration and love of his fellow citizens at large. Thus immensely popular, no man was willing to publish, under his hand, even the simple truth. The only exception, that I recollect, was the infamous Tom Paine; and this when in France, after he had escaped the guillotine of Robespierre; and in

[1] Massachusetts Historical Society, vol. li., p. 171.

resentment, because, after he had participated in the French Revolution, President Washington seemed not to have thought him so very important a character in the world, as officially to interpose for his relief from the fangs of the French ephemeral Rulers. In a word, no man, however well informed, was willing to hazard his own popularity by exhibiting the real intellectual character of the immensely popular Washington."

How can this ignorance of an astute man, Secretary of State under Washington and Adams, be explained? Had Washington hidden the letters showing on their face that he *had* "officially interposed" for Paine by two Ministers?

Madison, writing to Monroe, April 7, 1796, says that Pickering had spoken to him "in harsh terms" of a letter written by Paine to the President. This was a private letter of September 20, 1795, afterwards printed in Paine's public Letter to Washington. The Secretary certainly read that letter on its arrival, January 18, 1796, and yet Washington does not appear to have told him of what had been officially done in Paine's case! Such being the secrecy which Washington had carried from the camp to the cabinet, and the morbid extent of it while the British Treaty was in negotiation and discussion, one can hardly wonder at his silence under Paine's private appeal and public reproach.

Much as Pickering hated Paine, he declares him the only man who ever told the simple truth about Washington. In the lapse of time historical research, while removing the sacred halo of Washington, has revealed beneath it a stronger brain than was then known to any one. Paine published what many whispered, while they were fawning on Washington for office, or utilizing his power for partisan ends. Washington, during his second administration, when his mental decline was remarked by himself, by Jefferson, and others, was regarded by many of his eminent contemporaries as fallen under the sway of small partisans. Not only was the influence of Jefferson, Madison, Randolph, Monroe, Livingston, alienated, but the counsels of Hamilton were neutralized by Wolcott and Pickering, who apparently agreed about the President's "mental powers." Had not Paine

previously incurred the *odium theologicum*, his pamphlet concerning Washington would have been more damaging; even as it was, the verdict was by no means generally favorable to the President, especially as the replies to Paine assumed that Washington had indeed failed to try and rescue him from impending death.[1] A pamphlet written by Bache, printed anonymously (1797), *Remarks occasioned by the late conduct of Mr. Washington*, indicates the belief of those who raised Washington to power, that both Randolph and Paine had been sacrificed to please Great Britain.

The *Bien-informé* (Paris, November 12, 1797) published a letter from Philadelphia, which may find translation here as part of the history of the pamphlet:

"The letter of Thomas Paine to General Washington is read here with avidity. We gather from the English papers that the Cabinet of St. James has been unable to stop the circulation of that pamphlet in England, since it is allowable to reprint there any English work already published elsewhere, however disagreeable to Messrs. Pitt and Dundas. We read in the letter to Washington that Robespierre had declared to the Committee of Public Safety that it was desirable in the interests of both France and America that Thomas Paine, who, for seven or eight months had been kept a prisoner in the Luxembourg, should forthwith be brought up for judgment before the revolutionary tribunal. The proof of this fact is found in Robespierre's papers, and gives ground for strange suspicions."

[1] The principal ones were "A Letter to Thomas Paine. By an American Citizen. New York, 1797," and "A Letter to the infamous Tom Paine, in answer to his Letter to General Washington. December 1796. By Peter Porcupine" (Cobbett). Writing to David Stuart, January 8, 1797, Washington, speaking of himself in the third person, says: "Although he is soon to become a private citizen, his opinions are to be knocked down, and his character traduced as low as they are capable of sinking it, even by resorting to absolute falsehoods. As an evidence whereof, and of the plan they are pursuing, I send you a letter of Mr. Paine to me, printed in this city and disseminated with great industry. Enclosed you will receive also a production of Peter Porcupine, alias William Cobbett. Making allowances for the asperity of an Englishman, for some of his strong and coarse expressions, and a want of official information as to many facts, it is not a bad thing." The "many facts" were, of course, the action of Monroe, and the supposed action of Morris in Paris, but not even to one so intimate as Stuart are these disclosed.

The editor of the *Bien-informé* adds:

"It was long believed that Paine had returned to America with his friend James Monroe, and the lovers of freedom [there] congratulated themselves on being able to embrace that illustrious champion of the Rights of Man. Their hopes have been frustrated. We know positively that Thomas Paine is still living in France. The partizans of the late presidency [in America] also know it well, yet they have spread a rumor that after actually arriving he found his (really popular) *principles no longer the order of the day*, and thought best to re-embark.

"The English journals, while repeating this idle rumor, observed that it was unfounded, and that Paine had not left France. Some French journals have copied these London paragraphs, but without comments; so that at the very moment when Thomas Paine's Letter on the 18th. Fructidor is published, *La Clef du Cabinet* says that this citizen is suffering unpleasantness in America."

Paine had intended to return with Monroe, in the spring of 1797, but, suspecting the Captain and a British cruiser in the distance, returned from Havre to Paris. The packet was indeed searched by the cruiser for Paine, and, had he been captured, England would have executed the sentence pronounced by Robespierre to please Washington.

MEMORIAL

ADDRESSED TO JAMES MONROE, MINISTER FROM THE UNITED STATES OF AMERICA TO THE FRENCH REPUBLIC.

PRISON OF THE LUXEMBOURG, Sept. 10th, 1794.

I ADDRESS this memorial to you, in consequence of a letter I received from a friend, 18 Fructidor (September 4th,) in which he says, "Mr. Monroe has told me, that he has no orders [meaning from the American government] respecting you; but I am sure he will leave nothing undone to liberate you; but, from what I can learn, from all the late Americans, you are not considered either by the Government, or by the individuals, as an American citizen. You have been made a french Citizen, which you have accepted, and you have further made yourself a servant of the french Republic; and, therefore, it would be out of character for an American Minister to interfere in their internal concerns. You must therefore either be liberated out of Compliment to America, or stand your trial, which you have a right to demand."

This information was so unexpected by me, that I am at a loss how to answer it. I know not on what principle it originates; whether from an idea that I had voluntarily abandoned my Citizenship of America for that of France, or from any article of the American Constitution applied to me. The first is untrue with respect to any intention on my part; and the second is without foundation, as I shall shew in the course of this memorial.

The idea of conferring honor of Citizenship upon foreigners, who had distinguished themselves in propagating the principles of liberty and humanity, in opposition to despotism, war, and bloodshed, was first proposed by me to La Fayette, at the commencement of the french revolution, when his heart appeared to be warmed with those principles. My motive in making this proposal, was to render the people of different nations more fraternal than they had

been, or then were. I observed that almost every branch of Science had possessed itself of the exercise of this right, so far as it regarded its own institution. Most of the Academies and Societies in Europe, and also those of America, conferred the rank of honorary member, upon foreigners eminent in knowledge, and made them, in fact, citizens of their literary or scientific republic, without affecting or anyways diminishing their rights of citizenship in their own country or in other societies: and why the Science of Government should not have the same advantage, or why the people of one nation should not, by their representatives, exercise the right of conferring the honor of Citizenship upon individuals eminent in another nation, without affecting *their* rights of citizenship, is a problem yet to be solved.

I now proceed to remark on that part of the letter, in which the writer says, that, *from what he can learn from all the late Americans, I am not considered in America, either by the Government or by the individuals, as an American citizen.*

In the first place I wish to ask, what is here meant by the Government of America? The members who compose the Government are only individuals, when in conversation, and who, most probably, hold very different opinions upon the subject. Have Congress as a body made any declaration respecting me, that they now no longer consider me as a citizen? If they have not, anything they otherwise say is no more than the opinion of individuals, and consequently is not legal authority, nor anyways sufficient authority to deprive any man of his Citizenship. Besides, whether a man has forfeited his rights of Citizenship, is a question not determinable by Congress, but by a Court of Judicature and a Jury; and must depend upon evidence, and the application of some law or article of the Constitution to the case. No such proceeding has yet been had, and consequently I remain a Citizen until it be had, be that decision what it may; for there can be no such thing as a suspension of rights in the interim.

I am very well aware, and always was, of the article of the

Constitution which says, as nearly as I can recollect the words, that "any citizen of the United States, who shall accept any title, place, or office, from any foreign king, prince, or state, shall forfeit and lose his right of Citizenship of the United States." [1]

Had the Article said, that *any citizen of the United States, who shall be a member of any foreign convention, for the purpose of forming a free constitution, shall forfeit and lose the right of citizenship of the United States*, the article had been directly applicable to me; but the idea of such an article never could have entered the mind of the American Convention, and the present article is altogether foreign to the case with respect to me. It supposes a Government in active existence, and not a Government dissolved; and it supposes a citizen of America accepting titles and offices under that Government, and not a citizen of America who gives his assistance in a Convention chosen by the people, for the purpose of forming a Government *de nouveau* founded on their authority.

The late Constitution and Government of France was dissolved the 10th of August, 1792. The National legislative Assembly then in being, supposed itself without sufficient authority to continue its sittings, and it proposed to the departments to elect not another legislative Assembly, but a Convention for the express purpose of forming a new Constitution. When the Assembly were discoursing on this matter, some of the members said, that they wished to gain all the assistance possible upon the subject of free constitutions; and expressed a wish to elect and invite foreigners of any Nation to the Convention, who had distinguished themselves in defending, explaining, and propagating the principles of liberty. It was on this occasion that my name was mentioned in the Assembly. (I was then in England.)

[1] In the American pamphlet a footnote, probably added by Bache, here says: "Even this article does not exist in the manner here stated." It is a pity Paine did not have in his prison the article, which says: "No person holding any office of profit or trust under them [the United States] shall, without the consent of Congress, accept of any present, emolument, office, or title of any kind whatever, from any king, prince, or foreign State."—*Editor.*

After this, a deputation from a body of the french people, in order to remove any objection that might be made against my assisting at the proposed Convention, requested the Assembly, as their representatives, to give me the title of French Citizen ; after which, I was elected a member of the Convention, in four different departments, as is already known.[1]

The case, therefore, is, that I accepted nothing from any king, prince, or state, nor from any Government : for France was without any Government, except what arose from common consent, and the necessity of the case. Neither did I *make myself a servant of the french Republic*, as the letter alluded to expresses ; for at that time France was not a republic, not even in name. She was altogether a people in a state of revolution.

It was not until the Convention met that France was declared a republic, and monarchy abolished ; soon after which a committee was elected, of which I was a member,[2] to form a Constitution, which was presented to the Convention [and read by Condorcet, who was also a member] the 15th and 16th of February following, but was not to be taken into consideration till after the expiration of two months,[3] and if approved of by the Convention, was then to be referred to the people for their acceptance, with such additions or amendments as the Convention should make.

In thus employing myself upon the formation of a Constitution, I certainly did nothing inconsistent with the American Constitution. I took no oath of allegiance to France,

[1] The deputation referred to was described as the "Commission Extraordinaire," in whose name M. Guadet moved that the title of French Citizen be conferred on Priestley, Paine, Bentham, Wilberforce, Clarkson, Mackintosh, David Williams, Cormelle, Paw, Pestalozzi, Washington, Madison, Hamilton, Klopstock, Kosciusko, Gorani, Campe, Anacharsis Clootz, Gilleers. This was on August 26, and Paine was elected by Calais on September 6, 1792; and in the same week by Oise, Somme, and Puy-de-Dome.—*Editor.*

[2] Sièyes, Paine, Brissot, Pétion, Vergniaud, Gensonne, Barère, Danton, Condorcet.—*Editor.*

[3] The remainder of this sentence is replaced in the American pamphlet by the following: "The disorders and the revolutionary government that took place after this put a stop to any further progress upon the case."—*Editor.*

or any other oath whatever. I considered the Citizenship they had presented me with as an honorary mark of respect paid to me not only as a friend to liberty, but as an American Citizen. My acceptance of that, or of the deputyship, not conferred on me by any king, prince, or state, but by a people in a state of revolution and contending for liberty, required no transfer of my allegiance or of my citizenship from America to France. There I was a real citizen, paying Taxes; here, I was a voluntary friend, employing myself on a temporary service. Every American in Paris knew that it was my constant intention to return to America, as soon as a constitution should be established, and that I anxiously waited for that event.

I know not what opinions have been circulated in America. It may have been supposed there that I had voluntarily and intentionally abandoned America, and that my citizenship had ceased by my own choice. I can easily [believe] there are those in that country who would take such a proceeding on my part somewhat in disgust. The idea of forsaking old friendships for new acquaintances is not agreeable. I am a little warranted in making this supposition by a letter I received some time ago from the wife of one of the Georgia delegates in which she says "Your friends on this side the water cannot be reconciled to the idea of your abandoning America."

I have never abandoned her in thought, word or deed; and I feel it incumbent upon me to give this assurance to the friends I have in that country and with whom I have always intended and am determined, if the possibility exists, to close the scene of my life. It is there that I have made myself a home. It is there that I have given the services of my best days. America never saw me flinch from her cause in the most gloomy and perilous of her situations; and I know there are those in that country who will not flinch from me. If I have enemies (and every man has some) I leave them to the enjoyment of their ingratitude.*

* I subjoin in a note, for the sake of wasting the solitude of a prison, the answer that I gave to the part of the letter above mentioned. It is not inap-

It is somewhat extraordinary that the idea of my not being a citizen of America should have arisen only at the time that I am imprisoned in France because, or on the pretence that, I am a foreigner. The case involves a strange contradiction of ideas. None of the Americans who came to France whilst I was in liberty had conceived any such idea or circulated any such opinion; and why it should arise now is a matter yet to be explained. However discordant the late American Minister G. M. [Gouverneur Morris] and the late French Committee of Public Safety were, it suited the purpose of both that I should be continued in arrestation. The former wished to prevent my return to America, that I should not expose his misconduct; and the latter, lest I should publish to the world the history of its wickedness. Whilst that Minister and the Committee continued I had no

plicable to the subject of this Memorial; but it contains somewhat of a melancholy idea, a little predictive, that I hope is not becoming true so soon.

"You touch me on a very tender point when you say that my friends on your side the water cannot be reconciled to the idea of my abandoning America. They are right. I had rather see my horse Button eating the grass of Borden-Town or Morrisania than see all the pomp and show of Europe.

"A thousand years hence (for I must indulge a few thoughts) perhaps in less, America may be what Europe now is. The innocence of her character, that won the hearts of all nations in her favour, may sound like a romance and her inimitable virtue as if it had never been. The ruin of that liberty which thousands bled for or struggled to obtain may just furnish materials for a village tale or extort a sigh from rustic sensibility, whilst the fashionable of that day, envelloped in dissipation, shall deride the principle and deny the fact.

"When we contemplate the fall of Empires and the extinction of the nations of the Ancient World, we see but little to excite our regret than the mouldering ruins of pompous palaces, magnificent museums, lofty pyramids and walls and towers of the most costly workmanship; but when the Empire of America shall fall, the subject for contemplative sorrow will be infinitely greater than crumbling brass and marble can inspire. It will not then be said, here stood a temple of vast antiquity; here rose a babel of invisible height; or there a palace of sumptuous extravagance; but here, Ah, painful thought! the noblest work of human wisdom, the grandest scene of human glory, the fair cause of Freedom rose and fell.' Read this, and then ask if I forget America."—*Author.*

[This letter, quoted also in Paine's Letter to Washington, was written from London, Jan. 6, 1789, to the wife of Col. Few, *née* Kate Nicholson. It is given in full in my "Life of Paine," i., p. 247.—*Editor.*]

expectation of liberty. I speak here of the Committee of which Robespierre was member.[1]

I ever must deny, that the article of the American constitution already mentioned, can be applied either verbally, intentionally, or constructively, to me. It undoubtedly was the intention of the Convention that framed it, to preserve the purity of the American republic from being debased by foreign and foppish customs; but it never could be its intention to act against the principles of liberty, by forbidding its citizens to assist in promoting those principles in foreign Countries; neither could it be its intention to act against the principles of gratitude.[2] France had aided America in the establishment of her revolution, when invaded and oppressed by England and her auxiliaries. France in her turn was invaded and oppressed by a combination of foreign despots. In this situation, I conceived it an act of gratitude in me, as a citizen of America, to render her in return the best services I could perform. I came to France (for I was in England when I received the invitation) not to enjoy ease, emoluments, and foppish honours, as the article sup-

[1] This and the two preceding paragraphs, including the footnote, are entirely omitted from the American pamphlet. It will be seen that Paine had now a suspicion of the conspiracy between Gouverneur Morris and those by whom he was imprisoned. Soon after his imprisonment he had applied to Morris, who replied that he had reclaimed him, and enclosed the letter of Deforgues quoted in my Introduction to this chapter, of course withholding his own letter to the Minister. Paine answered (Feb. 14, 1793): "You must not leave me in the situation in which this letter places me. You know I do not deserve it, and you see the unpleasant situation in which I am thrown. I have made an answer to the Minister's letter, which I wish you to make ground of a reply to him. They have nothing against me—except that they do not choose I should lie in a state of freedom to write my mind freely upon things I have seen. Though you and I are not on terms of the best harmony, I apply to you as the Minister of America, and you may add to that service whatever you think my integrity deserves. At any rate I expect you to make Congress acquainted with my situation, and to send them copies of the letters that have passed on the subject. A reply to the Minister's letter is absolutely necessary, were it only to continue the reclamation. Otherwise your silence will be a sort of consent to his observations." Deforgues' "observations" having been dictated by Morris himself, no reply was sent to him, and no word to Congress.—*Editor.*

[2] In the pamphlet this last clause of the sentence is omitted.—*Editor.*

poses; but to encounter difficulties and dangers in defence of liberty; and I much question whether those who now malignantly seek (for some I believe do) to turn this to my injury, would have had courage to have done the same thing. I am sure Gouverneur Morris would not. He told me the second day after my arrival, (in Paris,) that the Austrians and Prussians, who were then at Verdun, would be in Paris in a fortnight. I have no idea, said he, that seventy thousand disciplined troops can be stopped in their march by any power in France.

Besides the reasons I have already given for accepting the invitations to the Convention, I had another that has reference particularly to America, and which I mentioned to Mr. Pinckney the night before I left London to come to Paris: "That it was to the interest of America that the system of European governments should be changed and placed on the same principle with her own." Mr. Pinckney agreed fully in the same opinion. I have done my part towards it.[1]

It is certain that governments upon similar systems agree better together than those that are founded on principles discordant with each other; and the same rule holds good with respect to the people living under them. In the latter case they offend each other by pity, or by reproach; and the discordancy carries itself to matters of commerce. I am not an ambitious man, but perhaps I have been an ambitious American. I have wished to see America the *Mother Church* of government, and I have done my utmost to exalt her character and her condition.

I have now stated sufficient matter, to shew that the Article in question is not applicable to me; and that any such application to my injury, as well in circumstances as in Rights, is contrary both to the letter and intention of that Article, and is illegal and unconstitutional. Neither do I believe that any Jury in America, when they are informed of the whole of the case, would give a verdict to deprive me of my

[1] In the American pamphlet the name of Pinckney (American Minister in England) is left blank in this paragraph, and the two concluding sentences are omitted from both the French and American pamphlets.—*Editor.*

Rights upon that Article. The citizens of America, I believe, are not very fond of permitting forced and indirect explanations to be put upon matters of this kind. I know not what were the merits of the case with respect to the person who was prosecuted for acting as prize master to a french privateer, but I know that the jury gave a verdict against the prosecution. The Rights I have acquired are dear to me. They have been acquired by honourable means, and by dangerous service in the worst of times, and I cannot passively permit them to be wrested from me. I conceive it my duty to defend them, as the case involves a constitutional and public question, which is, how far the power of the federal government [1] extends, in depriving any citizen of his Rights of Citizenship, or of suspending them.

That the explanation of National Treaties belongs to Congress is strictly constitutional; but not the explanation of the Constitution itself, any more than the explanation of Law in the case of individual citizens. These are altogether Judiciary questions. It is, however, worth observing, that Congress, in explaining the Article of the Treaty with respect to french prizes and french privateers, confined itself strictly to the letter of the Article. Let them explain the Article of the Constitution with respect to me in the same manner, and the decision, did it appertain to them, could not deprive me of my Rights of Citizenship, or suspend them, for I have accepted nothing from any king, prince, state, or Government.

You will please to observe, that I speak as if the federal Government had made some declaration upon the subject of my Citizenship; whereas the fact is otherwise; and your saying that you have no order respecting me is a proof of it. Those therefore who propagate the report of my not being considered as a Citizen of America by Government, do it to the prolongation of my imprisonment, and without authority; for Congress, *as a government*, has neither decided upon it, nor yet taken the matter into consideration; and I request

[1] In the pamphlet occurs here a significant parenthesis by Bache: "it should have been said in this case, how far the Executive."—*Editor.*

you to caution such persons against spreading such reports. But be these matters as they may, I cannot have a doubt that you find and feel the case very different, since you have heard what I have to say, and known what my situation is [better] than you did before your arrival.

But it was not the Americans only, but the Convention also, that knew what my intentions were upon that subject. In my last discourse delivered at the Tribune of the Convention, January 19, 1793, on the motion for suspending the execution of Louis 16th, I said (the Deputy Bancal read the translation in French): "It unfortunately happens that the person who is the subject of the present discussion, is considered by the Americans as having been the friend of their revolution. His execution will be an affliction to them, and it is in your power not to wound the feelings of your ally. Could I speak the french language I would descend to your bar, and in their name become your petitioner to respite the execution of the sentence."—"As the convention was elected for the express purpose of forming a Constitution, its continuance cannot be longer than four or five months more at furthest; and if, after my *return to America*, I should employ myself in writing the history of the french Revolution, I had rather record a thousand errors on the side of mercy, than be obliged to tell one act of severe Justice."—"Ah Citizens! give not the tyrant of England the triumph of seeing the man perish on a scaffold who had aided my much-loved America."

Does this look as if I had abandoned America? But if she abandons me in the situation I am in, to gratify the enemies of humanity, let that disgrace be to herself. But I know the people of America better than to believe it,[1] tho' I undertake not to answer for every individual.

When this discourse was pronounced, Marat launched himself into the middle of the hall and said that "I voted against the punishment of death because I was a quaker." I replied that "I voted against it both morally and politically."

[1] In the French pamphlet: "pour jamais lui prêter du tels sentiments."

I certainly went a great way, considering the rage of the times, in endeavouring to prevent that execution. I had many reasons for so doing. I judged, and events have shewn that I judged rightly, that if they once began shedding blood, there was no knowing where it would end; and as to what the world might call *honour*, the execution would appear like a nation killing a mouse; and in a political view, would serve to transfer the hereditary claim to some more formidable Enemy. The man could do no more mischief; and that which he had done was not only from the vice of his education, but was as much the fault of the Nation in restoring him after he had absconded June 21st, 1791, as it was his. I made the proposal for imprisonment until the end of the war and perpetual banishment after the war, instead of the punishment of death. Upwards of three hundred members voted for that proposal. The sentence for absolute death (for some members had voted the punishment of death conditionally) was carried by a majority of twenty-five out of more than seven hundred.

I return from this digression to the proper subject of my memorial.[1]

Painful as the want of liberty may be, it is a consolation to me to believe, that my imprisonment proves to the world, that I had no share in the murderous system that then reigned. That I was an enemy to it, both morally and politically, is known to all who had any knowledge of me; and could I have written french as well as I can English, I would publicly have exposed its wickedness and shewn the ruin with which it was pregnant. They who have esteemed me on former occasions, whether in America or in Europe will, I know, feel no cause to abate that esteem, when they reflect, that *imprisonment with preservation of character is preferable to liberty with disgrace.*

I here close my Memorial and proceed to offer you a proposal that appears to me suited to all the circumstances of the case; which is, that you reclaim me conditionally, until

[1] This and the preceding five paragraphs, and five following the next, are omitted from the American pamphlet.—*Editor.*

the opinion of Congress can be obtained on the subject of my citizenship of America; and that I remain in liberty under your protection during that time.

I found this proposal upon the following grounds.

First, you say you have no orders respecting me; consequently, you have no orders *not* to reclaim me; and in this case you are left discretionary judge whether to reclaim or not. My proposal therefore unites a consideration of your situation with my own.

Secondly, I am put in arrestation because I am a foreigner. It is therefore necessary to determine to what country I belong. The right of determining this question cannot appertain exclusively to the Committee of Public Safety or General Surety; because I appeal to the Minister of the United States, and show that my citizenship of that country is good and valid, referring at the same time, thro' the agency of the Minister, my claim of right to the opinion of Congress. It being a matter between two Governments.

Thirdly. France does not claim me for a citizen; neither do I set up any claim of citizenship in France. The question is simply, whether I am or am not a citizen of America. I am imprisoned here on the decree for imprisoning foreigners, because, say they, I was born in England. I say in answer that, though born in England, I am not a subject of the English Government any more than any other American who was born, as they all were, under the same Government, or than the Citizens of France are subjects of the French Monarchy under which they were born. I have twice taken the oath of abjuration to the British King and Government and of Allegiance to America,—once as a citizen of the State of Pennsylvania in 1776, and again before Congress, administered to me by the President, Mr. Hancock, when I was appointed Secretary in the Office of Foreign Affairs in 1777.

The letter before quoted in the first page of this memorial, says, "It would be out of character for an American minister to interfere in the internal affairs of France." This

goes on the idea that I am a citizen of France, and a member of the Convention, which is not the fact. The Convention have declared me to be a foreigner; and consequently the citizenship and the electon are null and void.[1] It also has the appearance of a Decision, that the article of the Constitution, respecting grants made to American Citizens by foreign kings, princes, or states, is applicable to me; which is the very point in question, and against the application of which I contend. I state evidence to the Minister, to shew that I am not within the letter or meaning of that Article; that it cannot operate against me; and I apply to him for the protection that I conceive I have a right to ask and to receive. The internal affairs of France are out of the question with respect to my application or his interference. I ask it not as a citizen of France, for I am not one: I ask it not as a member of the Convention, for I am not one; both these, as before said, have been rendered null and void; I ask it not as a man against whom there is any accusation, for there is none; I ask it not as an exile from America, whose liberties I have honourably and generously contributed to establish; I ask it as a Citizen of America, deprived of his liberty in France, under the plea of being a foreigner; and I ask it because I conceive I am entitled to it, upon every principle of Constitutional Justice and National honour.[2]

But tho' I thus positively assert my claim because I believe I have a right to do so, it is perhaps most eligible, in the present situation of things, to put that claim upon the footing I have already mentioned; that is, that the Minister reclaims me conditionally until the opinion of Congress can be obtained on the subject of my citizenship of America, and that I remain in liberty under the protection of the Minister during that interval.

(Signed) THOMAS PAINE.

[1] In the pamphlet: "The Convention included me in the vote for dismissing foreigners from the Convention, and the Committees imprisoned me as a foreigner."—*Editor*.

[2] All previous editions of the pamphlet end with this word.—*Editor*.

N. B. I should have added that as Gouverneur Morris could not inform Congress of the cause of my arrestation, as he knew it not himself, it is to be supposed that Congress was not enough acquainted with the case to give any directions respecting me when you came away.

T. P.

ADDENDA.

Letters, hitherto unpublished, written by Paine to Monroe before his release on November 4, 1794.

I.

LUXEMBOURG 14em Vendemaire,
OLD STILE Oct 4th 1794

DEAR SIR: I thank you for your very friendly and affectionate letter of the 18th September which I did not receive till this morning.[1] It has relieved my mind from a load of disquietude. You will easily suppose that if the information I received had been exact, my situation was without hope. I had in that case neither section, department nor Country, to reclaim me; but that is not all, I felt a poignancy of grief, in having the least reason to suppose that America had so soon forgotten me who had never forgotten her.

Mr. Labonadaire, in a note of yesterday, directed me to write to the Convention. As I suppose this measure has been taken in concert with you, I have requested him to shew you the letter, of which he will make a translation to accompany the original.

(I cannot see what motive can induce them to keep me in prison. It will gratify the English Government and afflict the friends I have in America. The supporters of the system of Terror might apprehend that if I was in liberty and in America I should publish the history of their crimes, but the present persons who have overset that immoral System ought to have no such apprehension. On the contrary, they ought to consider me as one of themselves, at least as one of their friends. Had I been an insignificant character I had not been in arrestation. It was the literary and philosophical reputation I had gained, in the world, that made them

[1] Printed in the letter to Washington, chap. XXII. The delay of sixteen days in Monroe's letter was probably due to the manœuvres of Paine's enemies on the Committee of Public Safety. He was released only after their removal from the Committee, and the departure of Gouverneur Morris.—*Editor.*

my Enemies; and I am the victim of the principles, and if I may be permitted to say it, of the talents, that procured me the esteem of America. My character is the *secret* of my arrestation.)

If the letter I have written be not covered by other authority than my own it will have no effect, for they already know all that I can say. On what ground do they pretend to deprive America of the service of any of her citizens without assigning a cause, or only the flimsy one of my being born in England? Gates, were he here, might be arrested on the same pretence, and he and Burgoyne be confounded together.

It is difficult for me to give an opinion, but among other things that occur to me, I think that if you were to say that, as it will be necessary to you to inform the Government of America of my situation, you require an explanation with the Committee upon that subject; that you are induced to make this proposal not only out of esteem for the character of the person who is the personal object of it, but because you know that his arrestation will distress the Americans, and the more so as it will appear to them to be contrary to their ideas of civil and national justice, it might perhaps have some effect. If the Committee [of Public Safety] will do nothing, it will be necessary to bring this matter openly before the Convention, for I do most sincerely assure you, from the observations that I hear, and I suppose the same are made in other places, that the character of America lies under some reproach. All the world knows that I have served her, and they see that I am still in prison; and you know that when people can form a conclusion upon a simple fact, they trouble not themselves about reasons. I had rather that America cleared herself of all suspicion of ingratitude, though I were to be the victim.

You advise me to have patience, but I am fully persuaded that the longer I continue in prison the more difficult will be my liberation. There are two reasons for this: the one is that the present Committee, by continuing so long my imprisonment, will naturally suppose that my mind will be

soured against them, as it was against those who put me in, and they will continue my imprisonment from the same apprehensions as the former Committee did; the other reason is, that it is now about two months since your arrival, and I am still in prison. They will explain this into an indifference upon my fate that will encourage them to continue my imprisonment. When I hear some people say that it is the Government of America that now keeps me in prison by not reclaiming me, and then pour forth a volley of execrations against her, I know not how to answer them otherwise than by a direct denial which they do not appear to believe. You will easily conclude that whatever relates to imprisonments and liberations makes a topic of prison conversation; and as I am now the oldest inhabitant within these walls, except two or three, I am often the subject of their remarks, because from the continuance of my imprisonment they auger ill to themselves. You see I write you every thing that occurs to me, and I conclude with thanking you again for your very friendly and affectionate letter, and am with great respect

Your's affectionately,

THOMAS PAINE.

(To day is the anniversary of the action at German Town. [October 4, 1777.] Your letter has enabled me to contradict the observations before mentioned.)

2.

Oct 13, 1794

DEAR SIR: On the 28th of this Month (October) I shall have suffered ten months imprisonment, to the dishonour of America as well as of myself, and I speak to you very honestly when I say that my patience is exhausted. It is only my actual liberation that can make me believe it. Had any person told me that I should remain in prison two months after the arrival of a new Minister, I should have supposed that he meant to affront me as an American. By the friendship and sympathy you express in your letter you seem

to consider my imprisonment as having connection only with myself, but I am certain that the inferences that follow from it have relation also to the National character of America. I already feel this in myself, for I no longer speak with pride of being a citizen of that country. Is it possible Sir that I should, when I am suffering unjust imprisonment under the very eye of her new Minister?

While there was no Minister here (for I consider Morris as none) nobody wondered at my imprisonment, but now everybody wonders. The continuance of it under a change of diplomatic circumstances, subjects me to the suspicion of having merited it, and also to the suspicion of having forfeited my reputation with America; and it subjects her at the same time to the suspicion of ingratitude, or to the reproach of wanting national or diplomatic importance. The language that some Americans have held of my not being considered as an American citizen, tho' contradicted by yourself, proceeds, I believe, from no other motive, than the shame and dishonour they feel at the imprisonment of a fellow-citizen, and they adopt this apology, at my expence, to get rid of that disgrace. Is it not enough that I suffer imprisonment, but my mind also must be wounded and tortured with subjects of this kind? Did I reason from personal considerations only, independent of principles and the pride of having practiced those principles honourably, I should be tempted to curse the day I knew America. By contributing to her liberty I have lost my own, and yet her Government beholds my situation in silence. Wonder not, Sir, at the ideas I express or the language in which I express them. If I have a heart to feel for others I can feel also for myself, and if I have anxiety for my own honour, I have it also for a country whose suffering infancy I endeavoured to nourish and to which I have been enthusiastically attached. As to patience I have practiced it long—as long as it was honorable to do so, and when it goes beyond that point it becomes meanness.

I am inclined to believe that you have attended to my imprisonment more as a friend than as a Minister. As a

friend I thank you for your affectionate attachment. As a Minister you have to look beyond me to the honour and reputation of your Government; and your Countrymen, who have accustomed themselves to consider any subject in one line of thinking only, more especially if it makes a strong [impression] upon them, as I believe my situation has made upon you, do not immediately see the matters that have relation to it in another line; and it is to bring these two into one point that I offer you these observations. A citizen and his country, in a case like mine, are so closely connected that the case of one is the case of both.

When you first arrived the path you had to pursue with respect to my liberation was simple. I was imprisoned as a foreigner; you knew that foreigner to be a citizen of America, and you knew also his character, and as such you should immediately have reclaimed him. You could lose nothing by taking strong ground, but you might lose much by taking an inferior one; but instead of this, which I conceive would have been the right line of acting, you left me in their hands on the loose intimation that my liberation would take place without your direct interference, and you strongly recommended it to me to wait the issue. This is more than seven weeks ago and I am still in prison. I suspect these people are trifling with you, and if they once believe they can do that, you will not easily get any business done except what they wish to have done.

When I take a review of my whole situation—my circumstances ruined, my health half destroyed, my person imprisoned, and the prospect of imprisonment still staring me in the face, can you wonder at the agony of my feelings? You lie down in safety and rise to plenty; it is otherwise with me; I am deprived of more than half the common necessaries of life; I have not a candle to burn and cannot get one. Fuel can be procured only in small quantities and that with great difficulty and very dear, and to add to the rest, I am fallen into a relapse and am again on the sick list. Did you feel the whole force of what I suffer, and the disgrace put upon America by this injustice done to one of her

best and most affectionate citizens, you would not, either as a friend or Minister, rest a day till you had procured my liberation. It is the work of two or three hours when you set heartily about it, that is, when you demand me as an American citizen, or propose a conference with the Committee upon that subject; or you may make it the work of a twelve-month and not succeed. I know these people better than you do.

You desire me to believe that "you are placed here on a difficult Theatre with many important objects to attend to, and with but few to consult with, and that it becomes you in pursuit of these to regulate your conduct with respect to each, as to manner and time, as will in your judgment be best calculated to accomplish the whole." As I know not what these objects are I can say nothing to that point. But I have always been taught to believe that the liberty of a Citizen was the first object of all free Governments, and that it ought not to give preference to, or be blended with, any other. It is that public object that all the world can see, and which obtains an influence upon public opinion more than any other. This is not the case with the objects you allude to. But be those objects what they may, can you suppose you will accomplish them the easier by holding me in the back-ground, or making me only an accident in the negotiation? Those with whom you confer will conclude from thence that you do not feel yourself very strong upon those points, and that you politically keep me out of sight in the meantime to make your approach the easier.

There is one part in your letter that is equally as proper should be communicated to the Committee as to me, and which I conceive you are under some diplomatic obligation to do. It is that part which you conclude by saying that "*to the welfare of Thomas Paine the Americans are not and cannot be indifferent.*" As it is impossible the Americans can preserve their esteem for me and for my oppressors at the same time, the injustice to me strikes at the popular part of the Treaty of Alliance. If it be the wish of the Committee to reduce the treaty to a mere skeleton of Government

forms, they are taking the right method to do it, and it is not improbable they will blame you afterwards for not informing them upon the subject. The disposition to retort has been so notorious here, that you ought to be guarded against it at all points.

You say in your letter that you doubt whether the gentleman who informed me of the language held by some Americans respecting my citizenship of America conveyed even his own ideas clearly upon the subject.[1] I know not how this may be, but I believe he told me the truth. I received a letter a few days ago from a friend and former comrade of mine in which he tells me, that all the Americans he converses with, say, that I should have been in liberty long ago if the Minister could have reclaimed me as an American citizen. When I compare this with the counter-declarations in your letter I can explain the case no otherwise than I have already done, that it is an apology to get rid of the shame and dishonour they feel at the imprisonment of an American citizen, and because they are not willing it should be supposed there is want of influence in the American Embassy. But they ought to see that this language is injurious to me.

On the 2d of this month Vendemaire I received a line from Mr. Beresford in which he tells me I shall be in liberty in two or three days, and that he has this from good authority. On the 12th I received a note from Mr. Labonadaire, written at the Bureau of the Concierge, in which he tells me of the interest you take in procuring my liberation, and that after the steps that had been already taken that I ought to write to the Convention to demand my liberty *purely* and *simply* as a citizen of the United States of America. He advised me to send the letter to him, and he would translate it. I sent the letter inclosing at the same time a letter to you. I have heard nothing since of the letter to the Convention. On the 17th I received a letter from my for-

[1] The letter of Peter Whiteside, quoted at the beginning of the Memorial. See introduction to the Memorial. It would seem from this whole letter that it was not known by Americans in Paris that Monroe had been kept out of his office by Morris for nearly a month after his arrival in Paris.—*Editor.*

mer comrade Vanhuele, in which he says "I am just come from Mr. Russell who had yesterday a conversation with your Minister and your liberation is certain—you will be in liberty to-morrow." Vanhuele also adds, "I find the advice of Mr. Labonadaire good, for tho' you have some enemies in the Convention, the strongest and best part are in your favour." But the case is, and I felt it whilst I was writing the letter to the Convention, that there is an awkwardness in my appearing, you being present; for every foreigner should apply thro' his Minister, or rather his Minister for him.

When I thus see day after day and month after month, and promise after promise, pass away without effect, what can I conclude but that either the Committees are secretly determined not to let me go, or that the measures you take are not pursued with the vigor necessary to give them effect; or that the American National character is without sufficient importance in the French Republic? The latter will be gratifying to the English Government. In short, Sir, the case is now arrived to that crisis, that for the sake of your own reputation as a Minister you ought to require a positive answer from the Committee. As to myself, it is more agreeable to me now to contemplate an honourable destruction, and to perish in the act of protesting against the injustice I suffer, and to caution the people of America against confiding too much in the Treaty of Alliance, violated as it has been in every principle, and in my imprisonment though an American Citizen, than remain in the wretched condition I am. I am no longer of any use to the world or to myself.

There was a time when I beheld the Revolution of the 10th. Thermidor [the fall of Robespierre] with enthusiasm. It was the first news my comrade Vanhuele communicated to me during my illness, and it contributed to my recovery. But there is still something rotten at the Center, and the Enemies that I have, though perhaps not numerous, are more active than my friends. If I form a wrong opinion of men or things it is to you I must look to set me right. You are in possession of the secret. I know nothing of it. But

that I may be guarded against as many wants as possible I shall set about writing a memorial to Congress, another to the State of Pennsylvania, and an address to the people of America; but it will be difficult for me to finish these until I know from yourself what applications you have made for my liberation, and what answers you have received.

Ah, Sir, you would have gotten a load of trouble and difficulties off your hands that I fear will multiply every day, had you made it a point to procure my liberty when you first arrived, and not left me floating on the promises of men whom you did not know. You were then a new character. You had come in consequence of their own request that Morris should be recalled; and had you then, before you opened any subject of negociation that might arise into controversy, demanded my liberty either as a Civility or as a Right I see not how they could have refused it.

I have already said that after all the promises that have been made I am still in prison. I am in the dark upon all the matters that relate to myself. I know not if it be to the Convention, to the Committee of Public Safety, of General Surety, or to the deputies who come sometimes to the Luxembourg to examine and put persons in liberty, that applications have been made for my liberation. But be it to whom it may, my earnest and pressing request to you as Minister is that you will bring this matter to a conclusion by reclaiming me as an American citizen imprisoned in France under the plea of being a foreigner born in England; that I may know the result, and how to prepare the Memorials I have mentioned, should there be occasion for them. The right of determining who are American citizens can belong only to America. The Convention have declared I am not a French Citizen because she has declared me to be a foreigner, and have by that declaration cancelled and annulled the vote of the former assembly that conferred the Title of Citizen upon Citizens or subjects of other Countries. I should not be honest to you nor to myself were I not to express myself as I have done in this letter, and I confide

and request you will accept it in that sense and in no other.

I am, with great respect, your suffering fellow-citizen,

THOMAS PAINE.

P. S.—If my imprisonment is to continue, and I indulge very little hope to the contrary, I shall be under the absolute necessity of applying to you for a supply of several articles. Every person here have their families or friends upon the spot who make provision for them. This is not the case with me; I have no person I can apply to but the American Minister, and I can have no doubt that if events should prevent my repaying the expence Congress or the State of Pennsylvania will discharge it for me.

To day is 22 Vendemaire Monday October 13, but you will not receive this letter till the 14th. I will send the bearer to you again on the 15th, Wednesday, and I will be obliged to you to send me for the present, three or four candles, a little sugar of any kind, and some soap for shaving; and I should be glad at the same time to receive a line from you and a memorandum of the articles. Were I in your place I would order a Hogshead of Sugar, some boxes of Candles and Soap from America, for they will become still more scarce. Perhaps the best method for you to procure them at present is by applying to the American Consuls at Bordeaux and Havre, and have them up by the diligence.

3.

[Undated.]

DEAR SIR: As I have not yet received any answer to my last, I have amused myself with writing you the inclosed memoranda. Though you recommend patience to me I cannot but feel very pointedly the uncomfortableness of my situation, and among other reflections that occur to me I cannot think that America receives any credit from the long imprisonment that I suffer. It has the appearance of neglecting her citizens and her friends and of encouraging the insults of foreign nations upon them, and upon her commerce. My imprisonment is as well and perhaps more known in

England than in France, and they (the English) will not be intimidated from molesting an American ship when they see that one of her best citizens (for I have a right to call myself so) can be imprisoned in another country at the mere discretion of a Committee, because he is a foreigner.

When you first arrived every body congratulated me that I should soon, if not immediately, be in liberty. Since that time about two hundred have been set free from this prison on the applications of their sections or of individuals—and I am continually hurt by the observations that are made—"that a section in Paris has more influence than America."

It is right that I furnish you with these circumstances. It is the effect of my anxiety that the character of America suffer no reproach; for the world knows that I have acted a generous duty by her. I am the third American that has been imprisoned. Griffiths nine weeks, Haskins about five, and myself eight [months] and yet in prison. With respect to the two former there was then no Minister, for I consider Morris as none; and they were liberated on the applications of the Americans in Paris. As to myself I had rather be publickly and honorably reclaimed, tho' the reclamation was refused, than remain in the uncertain situation that I am. Though my health has suffered my spirits are not broken. I have nothing to fear unless innocence and fortitude be crimes. America, whatever may be my fate, will have no cause to blush for me as a citizen; I hope I shall have none to blush for her as a country. If, my dear Sir, there is anything in the perplexity of ideas I have mistaken, only suppose yourself in my situation, and you will easily find an excuse for it. I need not say how much I shall rejoice to pay my respects to you without-side the walls of this prison, and to enquire after my American friends. But I know that nothing can be accomplished here but by unceasing perseverance and application. Yours affectionately.

4.

October 20, 1794.

DEAR SIR: I recd. your friendly letter of the 26 Vendemaire on the day it was written, and I thank you for commu-

nicating to me your opinion upon my case. Ideas serve to beget ideas, and as it is from a review of every thing that can be said upon a subject, or is any ways connected with it, that the best judgment can be formed how to proceed, I present you with such ideas as occur to me. I am sure of one thing, which is that you will give them a patient and attentive perusal.

You say in your letter that "I must be sensible that although I am an American citizen, yet if you interfere in my behalf as the Minister of my country you must demand my liberation only in case there be no charge against me; and that if there is I must be brought to trial previously, since no person in a *private* character can be exempt from the laws of the country in which he resides."—This is what I have twice attempted to do. I wrote a letter on the 3d Sans Culottodi[1] to the Deputies, members of the Committee of Surety General, who came to the Luxembourg to examine the persons detained. The letter was as follows:—"Citizens Representatives: I offer myself for examination. Justice is due to every Man. It is Justice only that I ask.—THOMAS PAINE."

As I was not called for examination, nor heard anything in consequence of my letter the first time of sending it, I sent a duplicate of it a few days after. It was carried to them by my good friend and comrade Vanhuele, who was then going in liberty, having been examined the day before. Vanhuele wrote me on the next day and said: "Bourdon de l'Oise [who was one of the examining Deputies] is the most inveterate enemy you can have. The answer he gave me when I presented your letter put me in such a passion with him that I expected I should be sent back again to prison." I then wrote a third letter but had not an opportunity of sending it, as Bourdon did not come any more till after I received Mr. Labonadaire's letter advising me to write to the Convention. The letter was as follows:—"Citizens, I have twice offered myself for examination, and I chose to do this while Bourdon de l'Oise was one of the Commissioners.

[1] Festival of Labour, September 19, 1794.—*Editor.*

This Deputy has said in the Convention that I intrigued with an ancient agent of the Bureau of Foreign Affairs. My examination therefore while he is present will give him an opportunity of proving his charge or of convincing himself of his error. If Bourdon de l'Oise is an honest man he will examine me, but lest he should not I subjoin the following. That which B[ourdon] calls an intrigue was at the request of a member of the former Committee of Salut Public, last August was a twelvemonth. I met the member on the Boulevard. He asked me something in French which I did not understand and we went together to the Bureau of Foreign Affairs which was near at hand. The Agent (Otto, whom you probably knew in America) served as interpreter, The member (it was Barère) then asked me 1st, If I could furnish him with the plan of Constitution I had presented to the Committee of Constitution of which I was member with himself, because, he said, it contained several things which he wished had been adopted: 2dly, He asked me my opinion upon sending Commissioners to the United States of America: 3dly, If fifty or an hundred ship loads of flour could be procured from America. As verbal interpretation was tedious, it was agreed that I should give him my opinion in writing, and that the Agent [Otto] should translate it, which he did. I answered the first question by sending him the plan [of a Constitution] which he still has. To the second, I replied that I thought it would be proper to send Commissioners, because that in Revolutions circumstances change so fast that it was often necessary to send a better supply of information to an Ally than could be communicated by writing; and that Congress had done the same thing during the American War; and I gave him some information that the Commissioners would find useful on their arrival. I answered the third question by sending him a list of American exports two years before, distinguishing the several articles by which he would see that the supply he mentioned could be obtained. I sent him also the plan of Paul Jones, giving it as his, for procuring salt-petre, which was to send a squadron (it did not require a large one) to

take possession of the Island of St. Helen's, to keep the English flag flying at the port, that the English East India ships coming from the East Indies, and that ballast with salt-petre, might be induced to enter as usual; And that it would be a considerable time before the English Government could know of what had happened at St. Helen's. See here what Bourdon de l'Oise has called an intrigue.—If it was an intrigue it was between a Committee of Salut Public and myself, for the Agent was no more than the interpreter and translator, and the object of the intrigue was to furnish France with flour and salt-petre."—I suppose Bourdon had heard that the agent and I were seen together talking English, and this was enough for *him* to found his charge upon.[1]

You next say that "I must likewise be sensible that although I am an American citizen that it is likewise believed there [in America] that I am become a citizen of France, and that in consequence this latter character has so far [*illegible*] the former as to weaken if not destroy any claim you might have to interpose in my behalf." I am sorry I cannot add any new arguments to those I have already advanced on this part of the subject. But I cannot help asking myself, and I wish you would ask the Committee, if it could possibly be the intention of France to *kidnap* citizens from America under the pretence of dubbing them with the title of French citizens, and then, after inviting or rather enveigling them into France, make it a pretence for detaining them? If it was, (which I am sure it was not, tho' they now act as if it was) the insult was to America, tho' the injury was to me, and the treachery was to both.

[1] The communications of Paine to Barère are given in my "Life of Paine," vol. ii., pp. 73, 87. Otto was Secretary to the Minister of Foreign Affairs when he acted as interpreter between Paine and Barère. There was never any charge at all made against Paine, as the Archives of France now prove, save that he was a "foreigner." Paine was of course ignorant of the conspiracy between Morris and Deforgues which had imprisoned him. Bourdon de l'Oise, one of the most cruel Jacobins and Terrorists, afterwards conspired with Pichegru to overthrow the Republic, and was with him banished (1797) to Sinamari, South America, where he died soon after his arrival.—*Editor.*

Did they mean to kidnap General Washington, Mr. Madison, and several other Americans whom they dubbed with the same title as well as me? Let any man look at the condition of France when I arrived in it,—invaded by Austrians and Prussians and declared to be in danger,—and then ask if any man who had a home and a country to go to, as I had in America, would have come amongst them from any other motive than of assisting them. If I could possibly have supposed them capable of treachery I certainly would not have trusted myself in their power. Instead therefore of your being unwilling or apprehensive of meeting the question of French citizenship, they ought to be ashamed of advancing it, and this will be the case unless you admit their arguments or objections too passively. It is a case on their part fit only for the continuations of Robespierre to set up. As to the name of French citizen, I never considered it in any other light, so far as regarded myself, than as a token of honorary respect. I never made them any promise nor took any oath of allegiance or of citizenship, nor bound myself by an act or means whatever to the performance of any thing. I acted altogether as a friend invited among them as I supposed on honorable terms. I did not come to join myself to a Government already formed, but to assist in forming one *de nouveau*, which was afterwards to be submitted to the people whether they would accept it or not, and this any foreigner might do. And strictly speaking there are no citizens before this is a government. They are all of the People. The Americans were not called citizens till after Government was established, and not even then until they had taken the oath of allegiance. This was the case in Pennsylvania. But be this French citizenship more or less, the Convention have swept it away by declaring me to be a foreigner, and imprisoning me as such; and this is a short answer to all those who affect to say or to believe that I am French Citizen. A Citizen without Citizenship is a term non-descript.

After the two preceeding paragraphs you ask—"If it be my wish that you should embark in this controversy (mean-

ing that of reclaiming me) and risque the consequences with respect to myself and the good understanding subsisting between the two countries, or, without relinquishing any point of right, and which might be insisted on in case of extremities, pursue according to your best judgment and with the light before you, the object of my liberation?"

As I believe from the apparent obstinacy of the Committees that circumstances will grow towards the extremity you mention, unless prevented beforehand, I will endeavour to throw into your hands all the lights I can upon the subject.

In the first place, reclamation may mean two distinct things. All the reclamations that are made by the sections in behalf of persons detained as *suspect* are made on the ground that the persons so detained are patriots, and the reclamation is good against the charge of "suspect" because it proves the contrary. But my situation includes another circumstance. I am imprisoned on the charge (if it can be called one) of being a foreigner born in England. You know that foreigner to be a citizen of the United States of America, and that he has been such since the 4th of July 1776, the political birthday of the United States, and of every American citizen, for before that period all were British subjects, and the States, then provinces, were British dominions.—Your reclamation of me therefore as a citizen of the United States (all other considerations apart) is good against the pretence for imprisoning me, or that pretence is equally good against every American citizen born in England, Ireland, Scotland, Germany, or Holland, and you know this description of men compose a very great part of the population of the three States of New York, New Jersey, and Pennsylvania, and make also a part of Congress, and of the State Legislatures.

Every politician ought to know, and every civilian does know, that the Law of Treaty of Alliance, and also that of Amity and Commerce knows no distinction of American Citizens on account of the place of their birth, but recognizes all to be Citizens whom the Constitution and laws of the United States of America recognize as such; and if I rec-

ollect rightly there is an article in the Treaty of Commerce particular to this point. The law therefore which they have here, to put all persons in arrestation born in any of the Countries at war with France, is, when applied to Citizens of America born in England, Ireland, Scotland, Germany, or holland, a violation of the treaties of Alliance and of Commerce, because it assumes to make a distinction of Citizens which those Treaties and the Constitution of America know nothing of. This is a subject that officially comes under your cognizance as Minister, and it would be consistent that you expostulated with them upon the Case. That foolish old man Vadier, who was president of the Convention and of the Committee of Surety general when the Americans then in Paris went to the Bar of the Convention to reclaim me, gave them for answer that my being born in England was cause sufficient for imprisoning me. It happened that at least half those who went up with that address were in the same case with myself.

As to reclamations on the ground of Patriotism it is difficult to know what is to be understood by Patriotism here. There is not a vice, and scarcely a virtue, that has not as the fashion of the moment suited been called by the name of Patriotism. The wretches who composed the revolutionary tribunal of Nantz were the Patriots of that day and the criminals of this. The Jacobins called themselves Patriots of the first order, men up to the height of the circumstances, and they are now considered as an antidote to Patriotism. But if we give to Patriotism a fixed idea consistent with that of a Republic, it would signify a strict adherence to the principles of Moral Justice, to the equality of civil and political Rights, to the System of representative Government, and an opposition to every hereditary claim to govern; and of this species of Patriotism you know my character. But, Sir, there are men on the Committee who have changed their Party but not their principles. Their aim is to hold power as long as possible by preventing the establishment of a Constitution, and these men are and will be my Enemies, and seek to hold me in prison as long as

they can. I am too good a Patriot for them. It is not improbable that they have heard of the strange language held by some Americans that I am not considered in America as an American citizen, and they may also have heard say, that you had no orders respecting me, and it is not improbable that they interpret that language and that silence into a connivance at my imprisonment. If they had not some ideas of this kind would they resist so long the civil efforts you make for my liberation, or would they attach so much importance to the imprisonment of an Individual as *to risque* (as you say to me) *the good understanding that exists between the two Countries?* You also say that *it is impossible for any person to do more than you have done without adopting the other means*, meaning that of reclaiming me. How then can you account for the want of success after so many efforts, and such a length of time, upwards of ten weeks, without supposing that they fortify themselves in the interpretation I have just mentioned? I can admit that it was not necessary to give orders, and that it was difficult to give direct orders, for I much question if Morris had informed Congress or the President of the whole of the case, or had sent copies of my letters to him as I had desired him to do. You would find the case here when you came, and you could not fully understand it till you did come, and as Minister you would have authority to act upon it. But as you inform me that you know what the wishes of the President are, you will see also that his reputation is exposed to some risque, admitting there to be ground for the supposition I have made. It will not add to his popularity to have it believed in America, as I am inclined to think the Committee believe here, that he connives at my imprisonment. You say also that *it is known to everybody that you wish my liberation.* It is, Sir, because they know your wishes that they misinterpret the means you use. They suppose that those mild means arise from a restriction that you cannot use others, or from a consciousness of some defect on my part of which you are unwilling to provoke the enquiry.

But as you ask me if it be my wish that you should em-

bark in this controversy and risque the consequences with respect to myself, I will answer this part of the question by marking out precisely the part I wish you to take. What I mean is a sort of middle line above what you have yet gone, and not up to the full extremity of the case, which will still lie in reserve. It is to write a letter to the Committee that shall in the first place defeat by anticipation all the objections they might make to a simple reclamation, and at the same time make the ground good for that object. But, instead of sending the letter immediately, to invite some of the Committee to your house and to make that invitation the opportunity of shewing them the letter, expressing at the same time a wish that you had done this, from a hope that the business might be settled in an amicable manner without your being forced into an official interference, that would excite the observations of the Enemies of both Countries, and probably interrupt the harmony that subsisted between the two republics. But as I can not convey the ideas I wish you to use by any means so concisely or so well as to suppose myself the writer of the letter I shall adopt this method and you will make use of such parts or such ideas of it as you please if you approve the plan. Here follows the supposed letter:

CITIZENS: When I first arrived amongst you as Minister from the United States of America I was given to understand that the liberation of Thomas Paine would take place without any official interference on my part. This was the more agreeable to me as it would not only supercede the necessity of that interference, but would leave to yourselves the whole opportunity of doing justice to a man who as far as I have been able to learn has suffered much cruel treatment under what you have denominated the system of Terror. But as I find my expectations have not been fulfilled I am under the official necessity of being more explicit upon the subject than I have hitherto been.

Permit me, in the first place, to observe that as it is impossible for me to suppose that it could have been the

intention of France to seduce any citizens of America from their allegiance to their proper country by offering them the title of French citizen, so must I be compelled to believe, that the title of French citizen conferred on Thomas Paine was intended only as a mark of honorary respect towards a man who had so eminently distinguished himself in defence of liberty, and on no occasion more so than in promoting and defending your own revolution. For a proof of this I refer you to his two works entitled *Rights of Man.* Those works have procured to him an addition of esteem in America, and I am sorry they have been so ill rewarded in France. But be this title of French Citizen more or less, it is now entirely swept away by the vote of the Convention which declares him to be a foreigner, and which supercedes the vote of the Assembly that conferred that title upon him, consequently upon the case superceded with it.

In consequence of this vote of the Convention declaring him to be a foreigner the former Committees have imprisoned him. It is therefore become my official duty to declare to you that the foreigner thus imprisoned is a citizen of the United States of America as fully, as legally, as constitutionally as myself, and that he is moreover one of the principal founders of the American Republic.

I have been informed of a law or decree of the Convention which subjects foreigners born in any of the countries at war with France to arrestation and imprisonment. This law when applied to citizens of America born in England is an infraction of the Treaty of Alliance and of Amity and Commerce, which knows no distinction of American citizens on account of the place of their birth, but recognizes all to be citizens whom the Constitution and laws of America recognize as such. The circumstances under which America has been peopled requires this guard on her Treaties, because the mass of her citizens are composed not of natives only but also of the natives of almost all the countries of Europe who have sought an asylum there from the persecutions they experienced in their own countries. After this intimation you will without doubt see the propriety of modelling

that law to the principles of the Treaty, because the law of Treaty in cases where it applies is the governing law to both parties alike, and it cannot be infracted without hazarding the existence of the Treaty.

Of the Patriotism of Thomas Paine I can speak fully, if we agree to give to patriotism a fixed idea consistent with that of a republic. It would then signify a strict adherence to Moral Justice, to the equality of civil and political rights, to the system of representative government, and an opposition to all hereditary claims to govern. Admitting patriotism to consist in these principles, I know of no man who has gone beyond Thomas Paine in promulgating and defending them, and that for almost twenty years past.

I have now spoken to you on the principal matters concerned in the case of Thomas Paine. The title of French citizen which you had enforced upon him, you have since taken away by declaring him to be a foreigner, and consequently this part of the subject ceases of itself. I have declared to you that this foreigner is a citizen of the United States of America, and have assured you of his patriotism.

I cannot help at the same time repeating to you my wish that his liberation had taken place without my being obliged to go thus far into the subject, because it is the mutual interest of both republics to avoid as much as possible all subjects of controversy, especially those from which no possible good can flow. I still hope that you will save me the unpleasant task of proceeding any farther by sending me an order for his liberation, which the injured state of his health absolutely requires. I shall be happy to receive such an order from you and happy in presenting it to him, for to the welfare of Thomas Paine the Americans are not and cannot be indifferent.

This is the sort of letter I wish you to write, for I have no idea that you will succeed by any measures that can, by any kind of construction, be interpreted into a want of confidence or an apprehension of consequences. It is themselves that ought to be apprehensive of consequences if any are to be apprehended. They, I mean the Committees, are not cer-

tain that the Convention or the nation would support them in forcing any question to extremity that might interrupt the good understanding subsisting between the two countries; and I know of no question [so likely] to do this as that which involves the rights and liberty of a citizen.

You will please to observe that I have put the case of French citizenship in a point of view that ought not only to preclude, but to make them ashamed to advance any thing upon this subject; and this is better than to have to answer their counter-reclamation afterwards. Either the Citizenship was intended as a token of honorary respect, or it was intended to deprive America of a citizen or to seduce him from his allegiance to his proper country. If it was intended as an honour they must act consistently with the principle of honour. But if they make a pretence for detaining me, they convict themselves of the act of seduction. Had America singled out any particular French citizen, complimented him with the title of Citizen of America, which he without suspecting any fraudulent intention might accept, and then after having invited or rather inveigled him into America made his acceptance of that Title a pretence for seducing or forcing him from his allegiance to France, would not France have just cause to be offended at America? And ought not America to have the same right to be offended at France? And will the Committees take upon themselves to answer for the dishonour they bring upon the National Character of their Country? If these arguments are stated beforehand they will prevent the Committees going into the subject of French Citizenship. They must be ashamed of it. But after all the case comes to this, that this French Citizenship appertains no longer to me because the Convention, as I have already said, have swept it away by declaring me to be foreigner, and it is not in the power of the Committees to reverse it. But if I am to be citizen and foreigner, and citizen again, just when and how and for any purpose they please, they take the Government of America into their own hands and make her only a Cypher in their system.

Though these ideas have been long with me they have been

more particularly matured by reading your last Communication, and I have many reasons to wish you had opened that Communication sooner. I am best acquainted with the persons you have to deal with and the circumstances of my own case. If you chuse to adopt the letter as it is, I send you a translation for the sake of expediting the business. I have endeavoured to conceive your own manner of expression as well as I could, and the civility of language you would use, but the matter of the letter is essential to me.

If you chuse to confer with some of the members of the Committee at your own house on the subject of the letter it may render the sending it unnecessary; but in either case I must request and press you not to give away to evasion and delay, and that you will fix positively with them that they shall give you an answer in three or four days whether they will liberate me on the representation you have made in the letter, or whether you must be forced to go further into the subject. The state of my health will not admit of delay, and besides the tortured state of my mind wears me down. If they talk of bringing me to trial (and I well know there is no accusation against me and that they can bring none) I certainly summons you as an Evidence to my Character. This you may mention to them either as what I intend to do or what you intend to do voluntarily for me.

I am anxious that you undertake this business without losing time, because if I am not liberated in the course of this decade, I intend, if in case the seventy-one detained deputies are liberated, to follow the same track that they have done, and publish my own case myself.[1] I cannot rest any longer in this state of miserable suspense, be the consequences what they may.

THOMAS PAINE.

[1] Those deputies, imprisoned for having protested against the overthrow of the Girondin government, May 31, 1793, when the Convention was invaded and overawed by the armed communes of Paris. These deputies were liberated and recalled to the Convention, December 8, 1794. Paine was invited to resume his seat the day before, by a special act of the Convention, after an eloquent speech by Thibaudeau.—*Editor.*

5.[1]

DEAR SIR: I need not mention to you the happiness I received from the information you sent me by Mr. Beresford. I easily guess the persons you have conversed with on the subject of my liberation—but matters and even promises that pass in conversation are not quite so strictly attended to here as in the Country you come from. I am not, my Dear Sir, impatient from any thing in my disposition, but the state of my health requires liberty and a better air; and besides this, the rules of the prison do not permit me, though I have all the indulgences the Concierge can give, to procure the things necessary to my recovery, which is slow as to strength. I have a tolerable appetite but the allowance of provision is scanty. We are not allowed a knife to cut our victuals with, nor a razor to shave; but they have lately allowed some barbers that are here to shave. The room where I am lodged is a ground floor level with the earth in the garden and floored with brick, and is so wet after every rain that I cannot guard against taking colds that continually cheat my recovery. If you could, without interfering with or deranging the mode proposed for my liberation, inform the Committee that the state of my health requires liberty and air, it would be good ground to hasten my liberation. The length of my imprisonment is also a reason, for I am now almost the oldest inhabitant of this uncomfortable mansion, and I see twenty, thirty and sometimes forty persons a day put in liberty who have not been so long confined as myself. Their liberation is a happiness to me; but I feel sometimes, a little mortification that I am thus left behind. I leave it entirely to you to arrange this matter. The messenger waits. Your's affectionately, T. P.

I hope and wish much to see you. I have much to say. I have had the attendance of Dr. Graham (Physician to Genl. O'Hara, who is prisoner here) and of Dr. Makouski, house physician, who has been most exceedingly kind to me. After I am at liberty I shall be glad to introduce him to you.

[1] This letter, written in a feeble handwriting, is not dated, but Monroe's endorsement, "2d. Luxembourg," indicates November 2, two days before Paine's liberation.—*Editor.*

XXII.

LETTER TO GEORGE WASHINGTON.

PARIS, July 30, 1796.

AS censure is but awkwardly softened by apology, I shall offer you no apology for this letter. The eventful crisis to which your double politics have conducted the affairs of your country, requires an investigation uncramped by ceremony.

There was a time when the fame of America, moral and political, stood fair and high in the world. The lustre of her revolution extended itself to every individual; and to be a citizen of America gave a title to respect in Europe. Neither meanness nor ingratitude had been mingled in the composition of her character. Her resistance to the attempted tyranny of England left her unsuspected of the one, and her open acknowledgment of the aid she received from France precluded all suspicion of the other. The Washington of politics had not then appeared.

At the time I left America (April 1787) the Continental Convention, that formed the federal Constitution was on the point of meeting. Since that time new schemes of politics, and new distinctions of parties, have arisen. The term *Antifederalist* has been applied to all those who combated the defects of that constitution, or opposed the measures of your administration. It was only to the absolute necessity of establishing some federal authority, extending equally over all the States, that an instrument so inconsistent as the present federal Constitution is, obtained a suffrage. I would have voted for it myself, had I been in America, or even for a worse, rather than have had none, provided it contained the

means of remedying its defects by the same appeal to the people by which it was to be established. It is always better policy to leave removeable errors to expose themselves, than to hazard too much in contending against them theoretically.

I have introduced these observations, not only to mark the general difference between Antifederalist and Anti-constitutionalist, but to preclude the effect, and even the application, of the former of these terms to myself. I declare myself opposed to several matters in the Constitution, particularly to the manner in which what is called the Executive is formed, and to the long duration of the Senate; and if I live to return to America, I will use all my endeavours to have them altered.* I also declare myself opposed to almost the whole of your administration; for I know it to have been deceitful, if not perfidious, as I shall shew in the course of this letter. But as to the point of consolidating the States into a Federal Government, it so happens, that the proposition for that purpose came originally from myself. I proposed it in a letter to Chancellor Livingston in the spring of 1782, while that gentleman was Minister for Foreign Affairs. The five per cent. duty recommended by Congress had then fallen through, having been adopted by some of the States, altered by others, rejected by Rhode Island, and repealed by Virginia after it had been consented to. The proposal in the letter I allude to, was to get over the whole difficulty at once, by annexing a continental legislative body to Congress; for in order to have any law of the Union uniform, the case could only be, that either Congress, as it then stood, must frame the law, and the States severally adopt it without alteration, or the States must erect a Continental Legislature for the purpose. Chancellor Livingston, Robert Morris, Gouverneur Morris, and myself, had a meeting at the house of Robert Morris on the subject of that letter. There was no diversity of opinion on the proposition for a Continental

* I have always been opposed to the mode of refining Government up to an individual, or what is called a single Executive. Such a man will always be the chief of a party. A plurality is far better: It combines the mass of a nation better together: And besides this, it is necessary to the manly mind of a republic that it loses the debasing idea of obeying an individual.—*Author.*

Legislature: the only difficulty was on the manner of bringing the proposition forward. For my own part, as I considered it as a remedy in reserve, that could be applied at any time *when the States saw themselves wrong enough to be put right*, (which did not appear to be the case at that time) I did not see the propriety of urging it precipitately, and declined being the publisher of it myself. After this account of a fact, the leaders of your party will scarcely have the hardiness to apply to me the term of Antifederalist. But I can go to a date and to a fact beyond this; for the proposition for electing a continental convention to form the Continental Government is one of the subjects treated of in the pamphlet *Common Sense.*[1]

Having thus cleared away a little of the rubbish that might otherwise have lain in my way, I return to the point of time at which the present Federal Constitution and your administration began. It was very well said by an anonymous writer in Philadelphia, about a year before that period, that "*thirteen staves and ne'er a hoop will not make a barrel*," and as any kind of hooping the barrel, however defectively executed, would be better than none, it was scarcely possible but that considerable advantages must arise from the federal hooping of the States. It was with pleasure that every sincere friend of America beheld, as the natural effect of union, her rising prosperity; and it was with grief they saw that prosperity mixed, even in the blossom, with the germ of corruption. Monopolies of every kind marked your administration almost in the moment of its commencement. The lands obtained by the revolution were lavished upon partisans; the interest of the disbanded soldier was sold to the speculator; injustice was acted under the pretence of faith; and the chief of the army became the patron of the fraud.[2] From such a beginning what else could be expected, than

[1] See vol. i. of this work, pp. 97, 98, 109, 110.—*Editor.*

[2] The history of the Scioto Company, by which so many Frenchmen as well as Americans were ruined, warranted an even stronger statement. Though Washington did not know what was going on, he cannot be acquitted of a lack of due precaution in patronizing leading agents of these speculations, and introducing them in France.—*Editor.*

what has happened? A mean and servile submission to the insults of one nation; treachery and ingratitude to another.

Some vices make their approach with such a splendid appearance, that we scarcely know to what class of moral distinctions they belong. They are rather virtues corrupted than vices, originally. But meanness and ingratitude have nothing equivocal in their character. There is not a trait in them that renders them doubtful. They are so originally vice, that they are generated in the dung of other vices, and crawl into existence with the filth upon their back. The fugitives have found protection in you, and the levee-room is their place of rendezvous.

As the Federal Constitution is a copy, though not quite so base as the original, of the form of the British Government, an imitation of its vices was naturally to be expected. So intimate is the connection between *form* and *practice*, that to adopt the one is to invite the other. Imitation is naturally progressive, and is rapidly so in matters that are vicious.

Soon after the Federal Constitution arrived in England, I received a letter from a female literary correspondent (a native of New York) very well mixed with friendship, sentiment, and politics. In my answer to that letter, I permitted myself to ramble into the wilderness of imagination, and to anticipate what might hereafter be the condition of America. I had no idea that the picture I then drew was realizing so fast, and still less that Mr. Washington was hurrying it on. As the extract I allude to is congenial with the subject I am upon, I here transcribe it:

[*The extract is the same as that given in a footnote, in the Memorial to Monroe*, p. 180.]

Impressed, as I was, with apprehensions of this kind, I had America constantly in my mind in all the publications I afterwards made. The First, and still more the Second, Part of the Rights of Man, bear evident marks of this watchfulness; and the Dissertation on First Principles of Government [XXIV.] goes more directly to the point than either of the former. I now pass on to other subjects.

It will be supposed by those into whose hands this letter may fall, that I have some personal resentment against you; I will therefore settle this point before I proceed further.

If I have any resentment, you must acknowledge that I have not been hasty in declaring it; neither would it now be declared (for what are private resentments to the public) if the cause of it did not unite itself as well with your public as with your private character, and with the motives of your political conduct.

The part I acted in the American revolution is well known; I shall not here repeat it. I know also that had it not been for the aid received from France, in men, money and ships, that your cold and unmilitary conduct (as I shall shew in the course of this letter) would in all probability have lost America; at least she would not have been the independent nation she now is. You slept away your time in the field, till the finances of the country were completely exhausted, and you have but little share in the glory of the final event. It is time, sir, to speak the undisguised language of historical truth.

Elevated to the chair of the Presidency, you assumed the merit of every thing to yourself, and the natural ingratitude of your constitution began to appear. You commenced your Presidential career by encouraging and swallowing the grossest adulation, and you travelled America from one end to the other to put yourself in the way of receiving it. You have as many addresses in your chest as James the II. As to what were your views, for if you are not great enough to have ambition you are little enough to have vanity, they cannot be directly inferred from expressions of your own; but the partizans of your politics have divulged the secret.

John Adams has said, (and John it is known was always a speller after places and offices, and never thought his little services were highly enough paid,)—John has said, that as Mr. Washington had no child, the Presidency should be made hereditary in the family of Lund Washington. John might then have counted upon some sinecure himself, and a provision for his descendants. He did not go so far as to

say, also, that the Vice-Presidency should be hereditary in the family of John Adams. He prudently left that to stand on the ground that one good turn deserves another.*

John Adams is one of those men who never contemplated the origin of government, or comprehended any thing of first principles. If he had, he might have seen, that the right to set up and establish hereditary government, never did, and never can, exist in any generation at any time whatever; that it is of the nature of treason; because it is an attempt to take away the rights of all the minors living at that time, and of all succeeding generations. It is of a degree beyond common treason. It is a sin against nature. The equal right of every generation is a right fixed in the nature of things. It belongs to the son when of age, as it belonged to the father before him. John Adams would himself deny the right that any former deceased generation could have to decree authoritatively a succession of governors over him, or over his children; and yet he assumes the pretended right, treasonable as it is, of acting it himself. His ignorance is his best excuse.

John Jay has said, (and this John was always the sycophant of every thing in power, from Mr. Girard in America, to Grenville in England,)—John Jay has said, that the Senate should have been appointed for life. He would then have been sure of never wanting a lucrative appointment for himself, and have had no fears about impeachment. These are the disguised traitors that call themselves Federalists.†

Could I have known to what degree of corruption and perfidy the administrative part of the government of America had descended, I could have been at no loss to have understood the reservedness of Mr. Washington towards me, during my imprisonment in the Luxembourg. There are cases in which silence is a loud language. I will here explain

* Two persons to whom John Adams said this, told me of it. The secretary of Mr. Jay was present when it was told to me.—*Author.*

† If Mr. John Jay desires to know on what authority I say this, I will give that authority publicly when he chooses to call for it.—*Author.*

the cause of that imprisonment, and return to Mr. Washington afterwards.

In the course of that rage, terror and suspicion, which the brutal letter of the Duke of Brunswick first started into existence in France, it happened that almost every man who was opposed to violence, or who was not violent himself, became suspected. I had constantly been opposed to every thing which was of the nature or of the appearance of violence; but as I had always done it in a manner that shewed it to be a principle founded in my heart, and not a political manœuvre, it precluded the pretence of accusing me. I was reached, however, under another pretence.

A decree was passed to imprison all persons born in England; but as I was a member of the Convention, and had been complimented with the honorary style of Citizen of France, as Mr. Washington and some other Americans had been, this decree fell short of reaching me. A motion was afterwards made and carried, supported chiefly by Bourdon de l'Oise, for expelling foreigners from the Convention. My expulsion being thus effected, the two committees of Public Safety and of General Surety, of which Robespierre was the dictator, put me in arrestation under the former decree for imprisoning persons born in England. Having thus shewn under what pretence the imprisonment was effected, I come to speak of such parts of the case as apply between me and Mr. Washington, either as a President or as an individual.

I have always considered that a foreigner, such as I was in fact, with respect to France, might be a member of a Convention for framing a Constitution, without affecting his right of citizenship in the country to which he belongs, but not a member of a government after a Constitution is formed; and I have uniformly acted upon this distinction. To be a member of a government requires that a person be in allegiance to that government and to the country locally. But a Constitution, being a thing of principle, and not of action, and which, after it is formed, is to be referred to the people for their approbation or rejection, does not require allegiance in the persons forming and proposing it; and be-

sides this, it is only to the thing after it be formed and established, and to the country after its governmental character is fixed by the adoption of a constitution, that the allegiance can be given. No oath of allegiance or of citizenship was required of the members who composed the Convention: there was nothing existing in form to swear allegiance to. If any such condition had been required, I could not, as Citizen of America in fact, though Citizen of France by compliment, have accepted a seat in the Convention.

As my citizenship in America was not altered or diminished by any thing I had done in Europe, (on the contrary, it ought to be considered as strengthened, for it was the American principle of government that I was endeavouring to spread in Europe,) and as it is the duty of every government to charge itself with the care of any of its citizens who may happen to fall under an arbitrary persecution abroad, and is also one of the reasons for which ambassadors or ministers are appointed,—it was the duty of the Executive department in America, to have made (at least) some enquiries about me, as soon as it heard of my imprisonment. But if this had not been the case, that government owed it to me on every ground and principle of honour and gratitude. Mr. Washington owed it to me on every score of private acquaintance, I will not now say, friendship; for it has some time been known by those who know him, that he has no friendships; that he is incapable of forming any; he can serve or desert a man, or a cause, with constitutional indifference; and it is this cold hermaphrodite faculty that imposed itself upon the world, and was credited for a while by enemies as by friends, for prudence, moderation and impartiality.[1]

Soon after I was put into arrestation, and imprisoned in the Luxembourg, the Americans who were then in Paris went in a body to the bar of the Convention to reclaim me. They were answered by the then President Vadier, who has since

[1] "L'on peut dire qu'il [Washington] jouit de tous les avantages possibles à l'exception des douceurs de l'amitie."—Louis Otto, Chargé d'Affaires (at New York) to his government, 13 June, 1790. French Archives, vol. 35, No. 32.—*Editor.*

absconded, that *I was born in England*, and it was signified to them, by some of the Committee of *General Surety*, to whom they were referred (I have been told it was Billaud Varennes,) that their reclamation of me was only the act of individuals, without any authority from the American government.

A few days after this, all communications from persons imprisoned to any person without the prison was cut off by an order of the Police. I neither saw, nor heard from, any body for six months; and the only hope that remained to me was, that a new Minister would arrive from America to supercede Morris, and that he would be authorized to enquire into the cause of my imprisonment. But even this hope, in the state to which matters were daily arriving, was too remote to have any consolatory effect, and I contented myself with the thought, that I might be remembered when it would be too late. There is perhaps no condition from which a man conscious of his own uprightness cannot derive consolation; for it is in itself a consolation for him to find, that he can bear that condition with calmness and fortitude.

From about the middle of March (1794) to the fall of Robespierre July 29, (9th of Thermidor,) the state of things in the prisons was a continued scene of horror. No man could count upon life for twenty-four hours. To such a pitch of rage and suspicion were Robespierre and his Committee arrived, that it seemed as if they feared to leave a man living. Scarcely a night passed in which ten, twenty, thirty, forty, fifty, or more, were not taken out of the prison, carried before a pretended tribunal in the morning, and guillotined before night. One hundred and sixty-nine were taken out of the Luxembourg one night, in the month of July, and one hundred and sixty of them guillotined. A list of two hundred more, according to the report in the prison, was preparing a few days before Robespierre fell. In this last list I have good reason to believe I was included. A memorandum in the hand-writing of Robespierre was afterwards produced in the Convention, by the committee to whom the papers of Robespierre were referred, in these words:

"Demander que Thomas "Payne soit décreté d'ac- "cusation pour les inté- "rêts de l'Amérique, autant "que de la France."	Demand that Thomas Paine be decreed of accusation for the interests of America as well as of France. [1]

I had then been imprisoned seven months, and the silence of the Executive part of the government of America (Mr. Washington) upon the case, and upon every thing respecting me, was explanation enough to Robespierre that he might proceed to extremities.

A violent fever which had nearly terminated my existence, was, I believe, the circumstance that preserved it. I was not in a condition to be removed, or to know of what was passing, or of what had passed, for more than a month. It makes a blank in my remembrance of life. The first thing I was informed of was the fall of Robespierre.

About a week after this, Mr. Monroe arrived to supercede Gouverneur Morris, and as soon as I was able to write a note legible enough to be read, I found a way to convey one to him by means of the man who lighted the lamps in the prison; and whose unabated friendship to me, from whom he had never received any service, and with difficulty accepted any recompense, puts the character of Mr. Washington to shame.

In a few days I received a message from Mr. Monroe, conveyed to me in a note from an intermediate person, with assurance of his friendship, and expressing a desire that I would rest the case in his hands. After a fortnight or more had passed, and hearing nothing farther, I wrote to a friend who was then in Paris, a citizen of Philadelphia, requesting him to inform me what was the true situation of things with respect to me. I was sure that something was the matter; I began to have hard thoughts of Mr. Washington, but I was unwilling to encourage them.

In about ten days, I received an answer to my letter, in which the writer says, "Mr. Monroe has told me that he has

[1] In reading this the Committee added, "Why Thomas Payne more than another? Because he helped to establish the liberty of both worlds."—*Editor.*

no order [meaning from the President, Mr. Washington] respecting you, but that he (Mr. Monroe) will do every thing in his power to liberate you; but, from what I learn from the Americans lately arrived in Paris, you are not considered, either by the American government, or by the individuals, as an American citizen."

I was now at no loss to understand Mr. Washington and his new fangled faction, and that their policy was silently to leave me to fall in France. They were rushing as fast as they could venture, without awakening the jealousy of America, into all the vices and corruptions of the British government; and it was no more consistent with the policy of Mr. Washington, and those who immediately surrounded him, than it was with that of Robespierre or of Pitt, that I should survive. They have, however, missed the mark, and the reaction is upon themselves.

Upon the receipt of the letter just alluded to, I sent a memorial to Mr. Monroe, which the reader will find in the appendix, and I received from him the following answer.[1] It is dated the 18th of September, but did not come to hand till about the 4th of October. I was then falling into a relapse, the weather was becoming damp and cold, fuel was not to be had, and the abscess in my side, the consequence of these things, and of the want of air and exercise, was beginning to form, and which has continued immoveable ever since. Here follows Mr. Monroe's letter.

PARIS, September 18th, 1794.

"DEAR SIR,

"I was favoured soon after my arrival here with several letters from you, and more latterly with one in the character of memorial upon the subject of your confinement; and should have answered them at the times they were respectively written had I not concluded you would have calculated with certainty upon the deep interest I take in your welfare, and the pleasure with which I shall embrace every opportunity in my power to serve you. I should still pursue the same course, and for reasons which must

[1] The appendix consisted of an abridgment of the Memorial, which forms the preceding chapter (XXI.) in this volume.—*Editor.*

obviously occur, if I did not find that you are disquieted with apprehensions upon interesting points, and which justice to you and our country equally forbid you should entertain. You mention that you have been informed you are not considered as an American citizen by the Americans, and that you have likewise heard that I had no instructions respecting you by the government. I doubt not the person who gave you the information meant well, but I suspect he did not even convey accurately his own ideas on the first point: for I presume the most he could say is, that you had likewise become a French citizen, and which by no means deprived you of being an American one. Even this, however, may be doubted, I mean the acquisition of citizenship in France, and I confess you have said much to show that it has not been made. I really suspect that this was all that the gentleman who wrote to you, and those Americans he heard speak upon the subject meant. It becomes my duty, however, to declare to you, that I consider you as an American citizen, and that you are considered universally in that character by the people of America. As such you are entitled to my attention; and so far as it can be given consistently with those obligations which are mutual between every government and even a transient passenger, you shall receive it.

"The Congress have never decided upon the subject of citizenship in a manner to regard the present case. By being with us through the revolution you are of our country as absolutely as if you had been born there, and you are no more of England, than every native American is. This is the true doctrine in the present case, so far as it becomes complicated with any other consideration. I have mentioned it to make you easy upon the only point which could give you any disquietude.

"Is it necessary for me to tell you how much all your countrymen, I speak of the great mass of the people, are interested in your welfare? They have not forgotten the history of their own revolution and the difficult scenes through which they passed; nor do they review its several stages without reviving in their bosoms a due sensibility of the merits of those who served them in that great and arduous conflict. The crime of ingratitude has not yet stained, and I trust never will stain, our national character. You are considered by them as not only having rendered important service in our own revolution, but as being, on a more

extensive scale, the friend of human rights, and a distinguished and able advocate in favour of public liberty. To the welfare of Thomas Paine, the Americans are not, nor can they be, indifferent.

"Of the sense which the President has always entertained of your merits, and of his friendly disposition towards you, you are too well assured to require any declaration of it from me. That I forward his wishes in seeking your safety is what I well know, and this will form an additional obligation on me to perform what I should otherwise consider as a duty.

"You are, in my opinion, at present menaced by no kind of danger. To liberate you, will be an object of my endeavours, and as soon as possible. But you must, until that event shall be accomplished, bear your situation with patience and fortitude. You will likewise have the justice to recollect, that I am placed here upon a difficult theatre,* many important objects to attend to, with few to consult. It becomes me in pursuit of those to regulate my conduct in respect to each, as to the manner and the time, as will, in my judgment, be best calculated to accomplish the whole.

"With great esteem and respect consider me personally your friend,

"JAMES MONROE."

The part in Mr. Monroe's letter, in which he speaks of the President, (Mr. Washington,) is put in soft language. Mr. Monroe knew what Mr. Washington had said formerly, and he was willing to keep that in view. But the fact is, not only that Mr. Washington had given no orders to Mr. Monroe, as the letter [of Whiteside] stated, but he did not so much as say to him, enquire if Mr. Paine be dead or alive, in prison or out, or see if there be any assistance we can give him.

While these matters were passing, the liberations from the prisons were numerous; from twenty to forty in the course of almost every twenty-four hours. The continuance of my imprisonment after a new Minister had arrived immediately from America, which was now more than two months, was a

* This I presume alludes to the embarrassments which the strange conduct of Gouverneur Morris had occasioned, and which, I well know, had created suspicions of the sincerity of Mr. Washington.—*Author.*

matter so obviously strange, that I found the character of the American government spoken of in very unqualified terms of reproach; not only by those who still remained in prison, but by those who were liberated, and by persons who had access to the prison from without. Under these circumstances I wrote again to Mr. Monroe, and found occasion, among other things, to say: "It will not add to the popularity of Mr. Washington to have it believed in America, as it is believed here, that he connives at my imprisonment."

The case, so far as it respected Mr. Monroe, was, that having to get over the difficulties, which the strange conduct of Gouverneur Morris had thrown in the way of a successor, and having no authority from the American government to speak officially upon any thing relating to me, he found himself obliged to proceed by unofficial means with individual members; for though Robespierre was overthrown, the Robespierrian members of the Committee of Public Safety still remained in considerable force, and had they found out that Mr. Monroe had no official authority upon the case, they would have paid little or no regard to his reclamation of me. In the mean time my health was suffering exceedingly, the dreary prospect of winter was coming on, and imprisonment was still a thing of danger. After the Robespierrian members of the Committee were removed by the expiration of their time of serving, Mr. Monroe reclaimed me, and I was liberated the 4th of November. Mr. Monroe arrived in Paris the beginning of August before. All that period of my imprisonment, at least, I owe not to Robespierre, but to his colleague in projects, George Washington. Immediately upon my liberation, Mr. Monroe invited me to his house, where I remained more than a year and a half; and I speak of his aid and friendship, as an open-hearted man will always do in such a case, with respect and gratitude.

Soon after my liberation, the Convention passed an unanimous vote, to invite me to return to my seat among them. The times were still unsettled and dangerous, as well from without as within, for the coalition was unbroken, and the constitution not settled. I chose, however, to accept the

invitation : for as I undertake nothing but what I believe to be right, I abandon nothing that I undertake ; and I was willing also to shew, that, as I was not of a cast of mind to be deterred by prospects or retrospects of danger, so neither were my principles to be weakened by misfortune or perverted by disgust.

Being now once more abroad in the world, I began to find that I was not the only one who had conceived an unfavourable opinion of Mr. Washington ; it was evident that his character was on the decline as well among Americans as among foreigners of different nations. From being the chief of the government, he had made himself the chief of a party ; and his integrity was questioned, for his politics had a doubtful appearance. The mission of Mr. Jay to London, notwithstanding there was an American Minister there already, had then taken place, and was beginning to be talked of. It appeared to others, as it did to me, to be enveloped in mystery, which every day served either to increase or to explain into matter of suspicion.

In the year 1790, or about that time, Mr. Washington, as President, had sent Gouverneur Morris to London, as his secret agent to have some communication with the British Ministry. To cover the agency of Morris it was given out, I know not by whom, that he went as an agent from Robert Morris to borrow money in Europe, and the report was permitted to pass uncontradicted. The event of Morris's negociation was, that Mr. Hammond was sent Minister from England to America, Pinckney from America to England, and himself Minister to France. If, while Morris was Minister in France, he was not a emissary of the British Ministry and the coalesced powers, he gave strong reasons to suspect him of it. No one who saw his conduct, and heard his conversation, could doubt his being in their interest ; and had he not got off the time he did, after his recall, he would have been in arrestation. Some letters of his had fallen into the hands of the Committee of Public Safety, and enquiry was making after him.

A great bustle had been made by Mr. Washington about

the conduct of Genet in America, while that of his own Minister, Morris, in France, was infinitely more reproachable. If Genet was imprudent or rash, he was not treacherous; but Morris was all three. He was the enemy of the French revolution, in every stage of it. But notwithstanding this conduct on the part of Morris, and the known profligacy of his character, Mr. Washington in a letter he wrote to him at the time of recalling him on the complaint and request of the Committee of Public Safety, assures him, that though he had complied with that request, he still retained the same esteem and friendship for him as before. This letter Morris was foolish enough to tell of; and, as his own character and conduct were notorious, the telling of it could have but one effect, which was that of implicating the character of the writer.[1] Morris still loiters in Europe, chiefly in England; and Mr. Washington is still in correspondence with him. Mr. Washington ought, therefore, to expect, especially since his conduct in the affairs of Jay's treaty, that France must consider Morris and Washington as men of the same description. The chief difference, however, between the two is, (for in politics there is none,) that the one is profligate enough to profess an indifference about *moral* principles, and the other is prudent enough to conceal the want of them.

About three months after I was at liberty, the official note of Jay to Grenville on the subject of the capture of American vessels by the British cruisers, appeared in the American papers that arrived at Paris. Every thing was of a-piece. Every thing was mean. The same kind of character went to all circumstances public or private. Disgusted at this na-

[1] Washington wrote to Morris, June 19, 1794, "my confidence in and friendship for you remain undiminished." It was not "foolish" but sagacious to show this one sentence, without which Morris might not have escaped out of France. The letter reveals Washington's mental decline. He says "until then [Fauchet's demand for recall of Morris, early 1794] I had supposed you stood well with the powers that were." Lafayette had pleaded for Morris's removal, and two French Ministers before Fauchet, Ternant and Genet, had expressed their Government's dissatisfaction with him. See Ford's *Writings of Washington*, vii., p. 453; also Editor's Introduction to XXI.—*Editor.*

tional degradation, as well as at the particular conduct of Mr. Washington to me, I wrote to him (Mr. Washington) on the 22d of February (1795) under cover to the then Secretary of State, (Mr. Randolph,) and entrusted the letter to Mr. Letombe, who was appointed French consul to Philadelphia, and was on the point of taking his departure. When I supposed Mr. Letombe had sailed, I mentioned the letter to Mr. Monroe, and as I was then in his house, I shewed it to him. He expressed a wish that I would recall it, which he supposed might be done, as he had learnt that Mr. Letombe had not then sailed. I agreed to do so, and it was returned by Mr. Letombe under cover to Mr. Monroe.

The letter, however, will now reach Mr. Washington publicly in the course of this work.

About the month of September following, I had a severe relapse which gave occasion to the report of my death. I had felt it coming on a considerable time before, which occasioned me to hasten the work I had then in hand, the *Second part of the Age of Reason.* When I had finished that work, I bestowed another letter on Mr. Washington, which I sent under cover to Mr. Benj. Franklin Bache of Philadelphia. The letter is as follows:

"PARIS, September 20th, 1795.

"SIR,

"I had written you a letter by Mr. Letombe, French consul, but, at the request of Mr. Monroe, I withdrew it, and the letter is still by me. I was the more easily prevailed upon to do this, as it was then my intention to have returned to America the latter end of the present year, 1795; but the illness I now suffer prevents me. In case I had come, I should have applied to you for such parts of your official letters (and of your private ones, if you had chosen to give them) as contained any instructions or directions either to Mr. Monroe, or to Mr. Morris, or to any other person respecting me; for after you were informed of my imprisonment in France, it was incumbent on you to have made some enquiry into the cause, as you might very well conclude that I had not the opportunity of informing you of it. I cannot

understand your silence upon this subject upon any other ground, than as *connivance* at my imprisonment; and this is the manner it is understood here, and will be understood in America, unless you give me authority for contradicting it. I therefore write you this letter, to propose to you to send me copies of any letters you have written, that may remove that suspicion. In the preface to the second part of the Age of Reason, I have given a memorandum from the hand-writing of Robespierre, in which he proposed a decree of accusation against me, '*for the interests of America as well as of France.*' He could have no cause for putting America in the case, but by interpreting the silence of the American government into connivance and consent. I was imprisoned on the ground of being born in England; and your silence in not enquiring into the cause of that imprisonment, and reclaiming me against it, was tacitly giving me up. I ought not to have suspected you of treachery; but whether I recover from the illness I now suffer or not, I shall continue to think you treacherous, till you give me cause to think otherwise. I am sure you would have found yourself more at your ease, had you acted by me as you ought; for whether your desertion of me was intended to gratify the English Government, or to let me fall into destruction in France that you might exclaim the louder against the French Revolution, or whether you hoped by my extinction to meet with less opposition in mounting up the American government—either of these will involve you in reproach you will not easily shake off. "THOMAS PAINE."[1]

Here follows the letter above alluded to, which I had stopped in complaisance to Mr. Monroe.

"PARIS, February 22d, 1795.

"SIR,

"As it is always painful to reproach those one would wish to respect, it is not without some difficulty that I have taken

[1] Washington Papers in State Department. Endorsed by Bache: "Jan. 18, 1796. Enclosed to Benj. Franklin Bache, and by him forwarded immediately upon receipt."—*Editor.*

the resolution to write to you. The dangers to which I have been exposed cannot have been unknown to you, and the guarded silence you have observed upon that circumstance is what I ought not to have expected from you, either as a friend or as President of the United States.

"You knew enough of my character to be assured that I could not have deserved imprisonment in France; and, without knowing any thing more than this, you had sufficient ground to have taken some interest for my safety. Every motive arising from recollection of times past, ought to have suggested to you the propriety of such a measure. But I cannot find that you have so much as directed any enquiry to be made whether I was in prison or at liberty, dead or alive; what the cause of that imprisonment was, or whether there was any service or assistance you could render. Is this what I ought to have expected from America, after the part I had acted towards her, or will it redound to her honour or to yours, that I tell the story? I do not hesitate to say, that you have not served America with more disinterestedness, or greater zeal, or more fidelity, than myself, and I know not if with better effect. After the revolution of America was established I ventured into new scenes of difficulties to extend the principles which that revolution had produced, and you rested at home to partake of the advantages. In the progress of events, you beheld yourself a President in America, and me a prisoner in France. You folded your arms, forgot your friend, and became silent.

"As every thing I have been doing in Europe was connected with my wishes for the prosperity of America, I ought to be the more surprised at this conduct on the part of her government. It leaves me but one mode of explanation, which is, *that every thing is not as it ought to be amongst you*, and that the presence of a man who might disapprove, and who had credit enough with the country to be heard and believed, was not wished for. This was the operating motive with the despotic faction that imprisoned me in France, (though the pretence was, that I was a foreigner,) and those that have been silent and inactive towards me in America,

appear to me to have acted from the same motive. It is impossible for me to discover any other.[1]

"After the part I have taken in the revolution of America, it is natural that I feel interested in whatever relates to her character and prosperity. Though I am not on the spot to see what is immediately acting there, I see some part of what she is acting in Europe. For your own sake, as well as for that of America, I was both surprised and concerned at the appointment of Gouverneur Morris to be Minister to France. His conduct has proved that the opinion I had formed of that appointment was well founded. I wrote that opinion to Mr. Jefferson at the time, and I was frank enough to say the same thing to Morris—*that it was an unfortunate appointment*.[2] His prating, insignificant pomposity, rendered him at once offensive, suspected, and ridiculous; and his total neglect of all business had so disgusted the Americans, that they proposed drawing up a protest against him. He carried this neglect to such an extreme, that it was necessary to inform him of it; and I asked him one day, if he did not feel himself ashamed to take the money of the country, and do nothing for it?[3] But Morris is so fond of profit and voluptousness, that he cares nothing about character. Had he not been removed at the time he was, I think his conduct would have precipitated the two countries into a rupture; and in this case, hated *systematically* as America is and ever will be by the British government, and at the same time suspected by France, the commerce of America would have fallen a prey to both countries.

"If the inconsistent conduct of Morris exposed the interest

[1] This paragraph of the original letter was omitted from the American pamphlet, probably by the prudence of Mr. Bache.—*Editor*.

[2] "I have just heard of Gouverneur Morris's appointment. *It is a most unfortunate one;* and, as I shall mention the same thing to him when I see him, I do not express it to you with the injunction of confidence."—Paine to Jefferson, Feb. 13, 1792.—*Editor*.

[3] Paine could not of course know that Morris was willing that the Americans, to whom he alludes, captains of captured vessels, should suffer, in order that there might be a case against France of violation of treaty, which would leave the United States free to transfer the alliance to England. See Introduction to XXI. · also my "Life of Paine," ii., p. 83.—*Editor*.

of America to some hazard in France, the pusillanimous conduct of Mr. Jay in England has rendered the American government contemptible in Europe. Is it possible that any man who has contributed to the independence of America, and to free her from the tyranny and injustice of the British government, can read without shame and indignation the note of Jay to Grenville? It is a satire upon the declaration of Independence, and an encouragement to the British government to treat America with contempt. At the time this Minister of Petitions was acting this miserable part, he had every means in his hands to enable him to have done his business as he ought. The success or failure of his mission depended upon the success or failure of the French arms. Had France failed, Mr. Jay might have put his humble petition in his pocket, and gone home. The case happened to be otherwise, and he has sacrificed the honour and perhaps all the advantages of it, by turning petitioner. I take it for granted, that he was sent over to demand indemnification for the captured property; and, in this case, if he thought he wanted a preamble to his demand, he might have said, 'That, tho' the government of England might suppose 'itself under the necessity of seizing American property bound 'to France, yet that supposed necessity could not preclude 'indemnification to the proprietors, who, acting under the 'authority of their own government, were not accountable to 'any other.' But Mr. Jay sets out with an implied recognition of the right of the British government to seize and condemn: for he enters his complaint against the *irregularity* of the seizures and the condemnation, as if they were reprehensible only by not being *conformable* to the *terms* of the proclamation under which they were seized. Instead of being the Envoy of a government, he goes over like a lawyer to demand a new trial. I can hardly help thinking that Grenville wrote that note himself and Jay signed it; for the style of it is domestic and not diplomatic. The term, *His* Majesty, used without any descriptive epithet, always signifies the King whom the Minister that speaks represents. If this sinking of the demand into a petition was a juggle be-

tween Grenville and Jay, to cover the indemnification, I think it will end in another juggle, that of never paying the money, and be made use of afterwards to preclude the right of demanding it: for Mr. Jay has virtually disowned the right *by appealing to the magnanimity of his Majesty against the capturers.* He has made this magnanimous Majesty the umpire in the case, and the government of the United States must abide by the decision. If, Sir, I turn some part of this business into ridicule, it is to avoid the unpleasant sensation of serious indignation.

"Among other things which I confess I do not understand, is the proclamation of neutrality. This has always appeared to me as an assumption on the part of the executive not warranted by the Constitution. But passing this over, as a disputable case, and considering it only as political, the consequence has been that of sustaining the losses of war, without the balance of reprisals. When the profession of neutrality, on the part of America, was answered by hostilities on the part of Britain, the object and intention of that neutrality existed no longer; and to maintain it after this, was not only to encourage farther insults and depredations, but was an informal breach of neutrality towards France, by passively contributing to the aid of her enemy. That the government of England considered the American government as pusillanimous, is evident from the encreasing insolence of the conduct of the former towards the latter, till the affair of General Wayne. She then saw that it might be possible to kick a government into some degree of spirit.[1] So far as the proclamation of neutrality was intended to prevent a dissolute spirit of privateering in America under foreign colors, it was undoubtedly laudable; but to continue it as a government neutrality, after the commerce of America was made war upon, was submission and not neutrality. I have heard so much about this thing called neutrality, that

[1] Wayne's success against the Indians of the Six Nations, 1794, was regarded by Washington also as a check on England. Writing to Pendleton, Jan. 22, 1795, he says: "There is reason to believe that the Indians . . . . *together with their abettors*, begin to see things in a different point of view." (Italics mine).—*Editor.*

I know not if the ungenerous and dishonorable silence (for I must call it such,) that has been observed by your part of the government towards me, during my imprisonment, has not in some measure arisen from that policy.

"Tho' I have written you this letter, you ought not to suppose it has been an agreeable undertaking to me. On the contrary, I assure you, it has caused me some disquietude. I am sorry you have given me cause to do it; for, as I have always remembered your former friendship with pleasure, I suffer a loss by your depriving me of that sentiment.

"THOMAS PAINE."

That this letter was not written in very good temper, is very evident; but it was just such a letter as his conduct appeared to me to merit, and every thing on his part since has served to confirm that opinion. Had I wanted a commentary on his silence, with respect to my imprisonment in France, some of his faction have furnished me with it. What I here allude to, is a publication in a Philadelphia paper, copied afterwards into a New York paper, both under the patronage of the Washington faction, in which the writer, still supposing me in prison in France, wonders at my lengthy respite from the scaffold; and he marks his politics still farther, by saying:

"It appears, moreover, that the people of England did not relish his (Thomas Paine's) opinions quite so well as he expected, and that for one of his last pieces, as destructive to the peace and happiness of their country, (meaning, I suppose, the *Rights of Man*,) they threatened our knight-errant with such serious vengeance, that, to avoid a trip to Botany Bay, he fled over to France, as a less dangerous voyage."

I am not refuting or contradicting the falsehood of this publication, for it is sufficiently notorious; neither am I censuring the writer: on the contrary, I thank him for the explanation he has incautiously given of the principles of the Washington faction. Insignificant, however, as the piece is, it was capable of having some ill effects, had it arrived in France during my imprisonment, and in the time of Robes-

pierre; and I am not uncharitable in supposing that this was one of the intentions of the writer.*

I have now done with Mr. Washington on the score of private affairs. It would have been far more agreeable to me, had his conduct been such as not to have merited these reproaches. Errors or caprices of the temper can be pardoned and forgotten; but a cold deliberate crime of the heart, such as Mr. Washington is capable of acting, is not to be washed away. I now proceed to other matter.

After Jay's note to Grenville arrived in Paris from America, the character of every thing that was to follow might be easily foreseen; and it was upon this anticipation that my letter of February the 22d was founded. The event has proved that I was not mistaken, except that it has been much worse than I expected.

It would naturally occur to Mr. Washington, that the secrecy of Jay's mission to England, where there was already an American Minister, could not but create some suspicion in the French government; especially as the conduct of Morris had been notorious, and the intimacy of Mr. Washington with Morris was known.

The character which Mr. Washington has attempted to act in the world, is a sort of non-describable, camelion-colored thing, called *prudence*. It is, in many cases, a substitute for principle, and is so nearly allied to hypocrisy that it easily slides into it. His genius for prudence furnished him in this instance with an expedient that served, as is the natural and general character of all expedients, to diminish the embarrassments of the moment and multiply them afterwards; for he authorized it to be made known to the French government, as a confidential matter, (Mr. Washington

* I know not who the writer of the piece is, but some of the Americans say it is Phineas Bond, an American refugee, but now a British consul; and that he writes under the signature of Peter Skunk or Peter Porcupine, or some such signature.—*Author.*

This footnote probably added to the gall of Porcupine's (Cobbett's) "Letter to the Infamous Tom. Paine, in Answer to his Letter to General Washington" (*Polit. Censor*, Dec., 1796), of which he (Cobbett) afterwards repented. Phineas Bond had nothing to do with it.—*Editor.*

should recollect that I was a member of the Convention, and had the means of knowing what I here state) he authorized it, I say, to be announced, and that for the purpose of preventing any uneasiness to France on the score of Mr. Jay's mission to England, that the object of that mission, and of Mr. Jay's authority, was restricted to that of demanding the surrender of the western posts, and indemnification for the cargoes captured in American vessels. Mr. Washington knows that this was untrue; and knowing this, he had good reason to himself for refusing to furnish the House of Representatives with copies of the instructions given to Jay, as he might suspect, among other things, that he should also be called upon for copies of instructions given to other Ministers, and that, in the contradiction of instructions, his want of integrity would be detected.[1] Mr. Washington may now, perhaps, learn, when it is too late to be of any use to him, that a man will pass better through the world with a thousand open errors upon his back, than in being detected in *one* sly falsehood. When one is detected, a thousand are suspected.

The first account that arrived in Paris of a treaty being negotiated by Mr. Jay, (for nobody suspected any,) came in an English newspaper, which announced that a treaty *offensive* and *defensive* had been concluded between the United States of America and England. This was immediately denied by every American in Paris, as an impossible thing; and though it was disbelieved by the French, it imprinted a suspicion that some underhand business was going for-

[1] When the British treaty had been ratified by the Senate (with one stipulation) and signed by the President, the House of Representatives, required to supply the means for carrying into effect, believed that its power over the supplies authorized it to check what a large majority considered an outrage on the country and on France. This was the opinion of Edmund Randolph (the first Attorney General), of Jefferson, Madison, and other eminent men. The House having respectfully requested the President to send them such papers on the treaty as would not affect any existing negotiations, he refused in a message (March 30, 1796), whose tenor Madison described as "improper and indelicate." He said "the assent of the House of Representatives is not necessary to the validity of a treaty." The House regarded the message as menacing a serious conflict, and receded.—*Editor.*

ward.* At length the treaty itself arrived, and every well-affected American blushed with shame.

It is curious to observe, how the appearance of characters will change, whilst the root that produces them remains the same. The Washington faction having waded through the slough of negociation, and whilst it amused France with professions of friendship contrived to injure her, immediately throws off the hypocrite, and assumes the swaggering air of a bravado. The party papers of that imbecile administration were on this occasion filled with paragraphs about *Sovereignty*. A paltroon may boast of his sovereign right to let another kick him, and this is the only kind of sovereignty shewn in the treaty with England. But those daring

* It was the embarrassment into which the affairs and credit of America were thrown at this instant by the report above alluded to, that made it necessary to contradict it, and that by every means arising from opinion or founded upon authority. The Committee of Public Safety, existing at that time, had agreed to the full execution, on their part, of the treaty between America and France, notwithstanding some equivocal conduct on the part of the American government, not very consistent with the good faith of an ally; but they were not in a disposition to be imposed upon by a counter-treaty. That Jay had no instructions beyond the points above stated, or none that could possibly be construed to extend to the length the British treaty goes, was a matter believed in America, in England, and in France ; and without going to any other source it followed naturally from the message of the President to Congress, when he nominated Jay upon that mission. The secretary of Mr. Jay came to Paris soon after the treaty with England had been concluded, and brought with him a copy of Mr. Jay's instructions, which he offered to shew to me as a *justification of Jay*. I advised him, as a friend, not to shew them to anybody, and did not permit him to shew them to me. "Who is it," said I to him, "that you intend to implicate as censureable by shewing those instructions? Perhaps that implication may fall upon your own government." Though I did not see the instructions, I could not be at a loss to understand that the American administration had been playing a double game.—*Author.*

That there was a "double game" in this business, from first to last, is now a fact of history. Jay was confirmed by the Senate on a declaration of the President in which no faintest hint of a treaty was given, but only the "adjustment of our complaints," "vindication of our rights," and cultivation of "peace." Only after the Envoy's confirmation did the Cabinet add the main thing, his authority to negotiate a commercial treaty. This was done against the protest of the only lawyer among them, Edmund Randolph, Secretary of State, who said the exercise of such a power by Jay would be an abridgment of the rights of the Senate and of the nation. See my "Life of Randolph," p. 220. For Jay's Instructions, etc., see I. Am. State Papers, Foreign Relations.—*Editor.*

paragraphs, as Timothy Pickering[1] well knows, were intended for France; without whose assistance, in men, money, and ships, Mr. Washington would have cut but a poor figure in the American war. But of his military talents I shall speak hereafter.

I mean not to enter into any discussion of any article of Jay's treaty; I shall speak only upon the whole of it. It is attempted to be justified on the ground of its not being a violation of any article or articles of the treaty pre-existing with France. But the sovereign right of explanation does not lie with George Washington and his man Timothy; France, on her part, has, at least, an equal right: and when nations dispute, it is not so much about words as about things.

A man, such as the world calls a sharper, and versed as Jay must be supposed to be in the quibbles of the law, may find a way to enter into engagements, and make bargains, in such a manner as to cheat some other party, without that party being able, as the phrase is, *to take the law of him*. This often happens in the cabalistical circle of what is called law. But when this is attempted to be acted on the national scale of treaties, it is too despicable to be defended, or to be permitted to exist. Yet this is the trick upon which Jay's treaty is founded, so far as it has relation to the treaty pre-existing with France. It is a counter-treaty to that treaty, and perverts all the great articles of that treaty to the injury of France, and makes them operate as a bounty to England, with whom France is at war.

The Washington administration shews great desire that the treaty between France and the United States be preserved. Nobody can doubt their sincerity upon this matter. There is not a British Minister, a British merchant, or a British agent or sailor in America, that does not anxiously wish the same thing. The treaty with France serves now as a passport to supply England with naval stores and other articles of American produce, whilst the same articles, when coming to France, are made contraband or seizable by Jay's

[1] Secretary of State.—*Editor.*

treaty with England. The treaty with France says, that neutral ships make neutral property, and thereby gives protection to English property on board American ships; and Jay's treaty delivers up French property on board American ships to be seized by the English. It is too paltry to talk of faith, of national honour, and of the preservation of treaties, whilst such a bare-faced treachery as this stares the world in the face.

The Washington administration may save itself the trouble of proving to the French government its *most faithful* intentions of preserving the treaty with France; for France has now no desire that it should be preserved. She had nominated an Envoy extraordinary to America, to make Mr. Washington and his government a present of the treaty, and to have no more to do with *that*, or with *him*. It was at the same time officially declared to the American Minister at Paris, *that the French Republic had rather have the American government for an open enemy than a treacherous friend.* This, sir, together with the internal distractions caused in America, and the loss of character in the world, is the *eventful crisis*, alluded to in the beginning of this letter, to which your double politics have brought the affairs of your country. It is time that the eyes of America be opened upon you.

How France would have conducted herself towards America and American commerce, after all treaty stipulations had ceased, and under the sense of services rendered and injuries received, I know not. It is, however, an unpleasant reflection, that in all national quarrels, the innocent, and even the friendly part of the community, become involved with the culpable and the unfriendly; and as the accounts that arrived from America continued to manifest an invariable attachment in the general mass of the people to their original ally, in opposition to the new-fangled Washington faction,—the resolutions that had been taken in France were suspended. It happened also, fortunately enough, that Gouverneur Morris was not Minister at this time.

There is, however, one point that still remains in embryo,

and which, among other things, serves to shew the ignorance of Washington treaty-makers, and their inattention to pre-existing treaties, when they were employing themselves in framing or ratifying the new treaty with England.

The second article of the treaty of commerce between the United States and France says:

"The most christian king and the United States engage mutually, not to grant any particular favour to other nations in respect of commerce and navigation that shall not immediately become common to the other party, who shall enjoy the same favour freely, if the concession was freely made, or on allowing the same compensation if the concession was conditional."

All the concessions, therefore, made to England by Jay's treaty are, through the medium of this second article in the pre-existing treaty, made to France, and become engrafted into the treaty with France, and can be exercised by her as a matter of right, the same as by England.

Jay's treaty makes a concession to England, and that unconditionally, of seizing naval stores in American ships, and condemning them as contraband. It makes also a concession to England to seize provisions and *other articles* in American ships. *Other articles* are *all other articles*, and none but an ignoramus, or something worse, would have put such a phrase into a treaty. The condition annexed in this case is, that the provisions and other articles so seized, are to be paid for at a price to be agreed upon. Mr. Washington, as President, ratified this treaty after he knew the British Government had recommended an indiscriminate seizure of provisions and all other articles in American ships; and it is now known that those seizures were made to fit out the expedition going to Quiberon Bay, and it was known before hand that they would be made. The evidence goes also a good way to prove that Jay and Grenville understood each other upon that subject. Mr. Pinckney,[1] when he passed through France on his way to Spain, spoke of the recommencement of the seizures as a thing that would take place.

[1] Gen. Thomas Pinckney, U. S. Minister to England.—*Editor.*

The French government had by some means received information from London to the same purpose, with the addition, that the recommencement of the seizures would cause no misunderstanding between the British and American governments. Grenville, in defending himself against the opposition in Parliament, on account of the scarcity of corn, said (see his speech at the opening of the Parliament that met October 29, 1795) that *the supplies for the Quiberon expedition were furnished out of the American ships*, and all the accounts received at that time from England stated that those seizures were made under the treaty. After the supplies for the Quiberon expedition had been procured, and the expected success had failed, the seizures were countermanded; and had the French seized provision vessels going to England, it is probable that the Quiberon expedition could not have been attempted.

In one point of view, the treaty with England operates as a loan to the English government. It gives permission to that government to take American property at sea, to any amount, and pay for it when it suits her; and besides this, the treaty is in every point of view a surrender of the rights of American commerce and navigation, and a refusal to France of the rights of neutrality. The American flag is not now a neutral flag to France; Jay's treaty of surrender gives a monopoly of it to England.

On the contrary, the treaty of commerce between America and France was formed on the most liberal principles, and calculated to give the greatest encouragement to the infant commerce of America. France was neither a carrier nor an exporter of naval stores or of provisions. Those articles belonged wholly to America, and they had all the protection in that treaty which a treaty could give. But so much has that treaty been perverted, that the liberality of it on the part of France, has served to encourage Jay to form a counter-treaty with England; for he must have supposed the hands of France tied up by her treaty with America, when he was making such large concessions in favour of England. The injury which Mr. Washington's administration has done

to the character as well as to the commerce of America, is too great to be repaired by him. Foreign nations will be shy of making treaties with a government that has given the faithless example of perverting the liberality of a former treaty to the injury of the party with whom it was made.[1]

In what a fraudulent light must Mr. Washington's character appear in the world, when his declarations and his conduct are compared together! Here follows the letter he wrote to the Committee of Public Safety, while Jay was negotiating in profound secrecy this treacherous treaty:

> "George Washington, President of the United States of America, to the Representatives of the French people, members of the Committee of Public Safety of *the French Republic, the great and good friend and ally of the United States.*

"On the intimation of the wish of the French republic that a new Minister should be sent from the United States, I resolved to manifest my sense of the readiness with which *my* request was fulfilled, [that of recalling Genet,] by immediately fulfilling the request of your government, [that of recalling Morris].

"It was some time before a character could be obtained, worthy of the high office of expressing the attachment of the United States to the happiness of our allies, *and drawing closer the bonds of our friendship.* I have now made choice of James Monroe, one of our distinguished citizens, to reside near the French republic, in quality of Minister Plenipotentiary of the United States of America. He is instructed to bear to you our *sincere solicitude for your welfare, and to cultivate with zeal the cordiality so happily subsisting between us.* From a knowledge of his fidelity, probity, and good conduct, I have entire confidence that he will render himself acceptable to you, and give effect to your desire of preserving and *advancing, on all occasions, the interest and connection of the two nations.* I beseech you, therefore, to give full credence to whatever he shall say to you on the part of the United States, and *most of all, when he shall assure you that your*

[1] For an analysis of the British Treaty see Wharton's "Digest of the International Law of the United States," vol. ii., § 150 *a*. Paine's analysis is perfectly correct.—*Editor.*

prosperity is an object of our affection. And I pray God to have the French Republic in his holy keeping.

G° WASHINGTON."[1]

Was it by entering into a treaty with England to surrender French property on board American ships to be seized by the English, while English property on board American ships was declared by the French treaty not to be seizable, *that the bonds of friendship between America and France were to be drawn the closer?* Was it by declaring naval stores contraband when coming to France, whilst by the French treaty they were not contraband when going to England, that the *connection between France and America was to be advanced?* Was it by opening the American ports to the British navy in the present war, from which ports the same navy had been expelled by the aid solicited from France in the American war (and that aid gratuitously given[2]) that the gratitude of America was to be shewn, and the *solicitude* spoken of in the letter demonstrated?

As the letter was addressed to the Committee of Public Safety, Mr. Washington did not expect it would get abroad in the world, or be seen by any other eye than that of Robespierre, or be heard by any other ear than that of the Committee; that it would pass as a whisper across the Atlantic, from one dark chamber to the other, and there terminate. It was calculated to remove from the mind of the Committee all suspicion upon Jay's mission to England, and, in this point of view, it was suited to the circumstances of the movement then passing; but as the event of that mission has proved the letter to be hypocritical, it serves no other purpose of the present moment than to shew that the writer is not to be credited. Two circumstances serve to make the reading of the letter necessary in the Convention. The one was, that they who succeeded on the fall of Robespierre,

[1] The italics are Paine's. Paine's free use of this document suggests that he possessed the confidence of the French Directory.—*Editor.*

[2] It is notable that Paine adheres to his old contention in his controversy with Deane. See vol. i., ch. 22 of this work; and vol. i., ch. 9 of my "Life of Paine."—*Editor.*

found it most proper to act with publicity; the other, to extinguish the suspicions which the strange conduct of Morris had occasioned in France.

When the British treaty, and the ratification of it by Mr. Washington, was known in France, all further declarations from him of his good disposition as an ally and friend, passed for so many cyphers; but still it appeared necessary to him to keep up the farce of declarations. It is stipulated in the British treaty, that commissioners are to report at the end of two years, on the case of *neutral ships making neutral property*. In the mean time, neutral ships do *not* make neutral property, according to the British treaty, and they *do* according to the French treaty. The preservation, therefore, of the French treaty became of great importance to England, as by that means she can employ American ships as carriers, whilst the same advantage is denied to France. Whether the French treaty could exist as a matter of right after this clandestine perversion of it, could not but give some apprehensions to the partizans of the British treaty, and it became necessary to them to make up, by fine words, what was wanting in good actions.

An opportunity offered to that purpose. The Convention, on the public reception of Mr. Monroe, ordered the American flag and the French flags to be displayed unitedly in the hall of the Convention. Mr. Monroe made a present of an American flag for the purpose. The Convention returned this compliment by sending a French flag to America, to be presented by their Minister, Mr. Adet, to the American government. This resolution passed long before Jay's treaty was known or suspected: it passed in the days of confidence; but the flag was not presented by Mr. Adet till several months after the treaty had been ratified. Mr. Washington made this the occasion of saying some fine things to the French Minister; and the better to get himself into tune to do this, he began by saying the finest things of himself.

"Born, sir (said he) in a land of liberty; *having* early learned its value; *having* engaged in a perilous conflict to defend it;

having, in a word, devoted the best years of my life to secure its permanent establishment in my own country ; *my* anxious recollections, *my* sympathetic feelings, and *my* best wishes are irresistibly excited, whenever, in any country, I see an oppressed people unfurl the banner of freedom."

Mr. Washington, having expended so many fine phrases upon himself, was obliged to invent a new one for the French, and he calls them "wonderful people!" The coalesced powers acknowledged as much.

It is laughable to hear Mr. Washington talk of his *sympathetic feelings*, who has always been remarked, even among his friends, for not having any. He has, however, given no proofs of any to me. As to the pompous encomiums he so liberally pays to himself, on the score of the American revolution, the reality of them may be questioned; and since he has forced them so much into notice, it is fair to examine his pretensions.

A stranger might be led to suppose, from the egotism with which Mr. Washington speaks, that himself, and himself only, had generated, conducted, compleated, and established the revolution: In fine, that it was all his own doing.

In the first place, as to the political part, he had no share in it; and, therefore, the whole of *that* is out of the question with respect to him. There remains, then, only the military part; and it would have been prudent in Mr. Washington not to have awakened enquiry upon that subject. Fame then was cheap; he enjoyed it cheaply; and nobody was disposed to take away the laurels that, whether they were *acquired* or not, had been *given*.

Mr. Washington's merit consisted in constancy. But constancy was the common virtue of the revolution. Who was there that was inconstant? I know but of one military defection, that of Arnold; and I know of no political defection, among those who made themselves eminent when the revolution was formed by the declaration of independence. Even Silas Deane, though he attempted to defraud, did not betray.[1]

[1] This generous judgment by Deane's old adversary has become questionable under recent investigations.—*Editor*.

But when we speak of military character, something more is to be understood than constancy; and something more *ought* to be understood than the Fabian system of *doing nothing*. The *nothing* part can be done by any body. Old Mrs. Thompson, the housekeeper of head quarters, (who threatened to make the sun and the *wind* shine through Rivington of New York,) [1] could have done it as well as Mr. Washington. Deborah would have been as good as Barak.

Mr. Washington had the nominal rank of Commander in Chief, but he was not so in fact. He had, in reality, only a separate command. He had no controul over, or direction of, the army to the northward under Gates, that captured Burgoyne; nor of that to the south under [Nathaniel] Greene, that recovered the southern States.* The nominal rank, however, of Commander in Chief, served to throw upon him the lustre of those actions, and to make him appear as the soul and centre of all military operations in America.

He commenced his command June, 1775, during the time the Massachusetts army lay before Boston, and after the affair of Bunker-hill. The commencement of his command was the commencement of inactivity. Nothing was afterwards done, or attempted to be done, during the nine months he remained before Boston. If we may judge from the resistance made at Concord, and afterwards at Bunker-hill, there was a spirit of enterprise at that time, which the presence of Mr. Washington chilled into cold defence. By the advantage of a good exterior he attracts respect, which his habitual silence tends to preserve; but he has not the talent of inspiring ardour in an army. The enemy removed from Boston in March 1776, to wait for reinforcements from Europe, and to take a more advantageous position at New York.

The inactivity of the campaign of 1775, on the part of General Washington, when the enemy had a less force than

[1] The Tory publisher of New York City, whose press was destroyed in 1775 by a mob of Connecticut soldiers.—*Editor.*

* See Mr. Winterbotham's valuable History of America, lately published.—*Author.* [The "History of the Establishment of Independence" is contained in the first of Mr. Winterbotham's four volumes (London, 1795).—*Editor.*]

in any other future period of the war, and the injudicious choice of positions taken by him in the campaign of 1776, when the enemy had its greatest force, necessarily produced the losses and misfortunes that marked that gloomy campaign. The positions taken were either islands or necks of land. In the former, the enemy, by the aid of their ships, could bring their whole force against a part of General Washington's, as in the affair of Long Island; and in the latter, he might be shut up as in the bottom of a bag. This had nearly been the case at New York, and it was so in part; it was actually the case at Fort Washington; and it would have been the case at Fort Lee, if General Greene had not moved precipitately off, leaving every thing behind, and by gaining Hackinsack bridge, got out of the bag of Bergen Neck. How far Mr. Washington, as General, is blameable for these matters, I am not undertaking to determine; but they are evidently defects in military geography. The successful skirmishes at the close of that campaign, (matters that would scarcely be noticed in a better state of things,) make the brilliant exploits of General Washington's seven campaigns. No wonder we see so much pusillanimity in the *President*, when we see so little enterprise in the *General!*

The campaign of 1777 became famous, not by anything on the part of General Washington, but by the capture of General Burgoyne, and the army under his command, by the Northern army at Saratoga, under General Gates. So totally distinct and unconnected were the two armies of Washington and Gates, and so independent was the latter of the authority of the nominal Commander in Chief, that the two Generals did not so much as correspond, and it was only by a letter of General (since Governor) Clinton, that General Washington was informed of that event. The British took possession of Philadelphia this year, which they evacuated the next, just time enough to save their heavy baggage and fleet of transports from capture by the French Admiral d'Estaing, who arrived at the mouth of the Delaware soon after.

The capture of Burgoyne gave an eclat in Europe to the

American arms, and facilitated the alliance with France. The eclat, however, was not kept up by any thing on the part of General Washington. The same unfortunate languor that marked his entrance into the field, continued always. Discontent began to prevail strongly against him, and a party was formed in Congress, whilst sitting at Yorktown, in Pennsylvania, for removing him from the command of the army. The hope, however, of better times, the news of the alliance with France, and the unwillingness of shewing discontent, dissipated the matter.

Nothing was done in the campaigns of 1778, 1779, 1780, in the part where General Washington commanded, except the taking of Stony Point by General Wayne. The Southern States in the mean time were over-run by the enemy. They were afterwards recovered by General Greene, who had in a very great measure created the army that accomplished that recovery. In all this General Washington had no share. The Fabian system of war, followed by him, began now to unfold itself with all its evils; but what is Fabian war without Fabian means to support it? The finances of Congress depending wholly on emissions of paper money, were exhausted. Its credit was gone. The continental treasury was not able to pay the expense of a brigade of waggons to transport the necessary stores to the army, and yet the sole object, the establishment of the revolution, was a thing of remote distance. The time I am now speaking of is in the latter end of the year 1780.

In this situation of things it was found not only expedient, but absolutely necessary, for Congress to state the whole case to its ally. I knew more of this matter, (before it came into Congress or was known to General Washington) of its progress, and its issue, than I chuse to state in this letter. Colonel John Laurens was sent to France as an Envoy Extraordinary on this occasion, and by a private agreement between him and me I accompanied him. We sailed from Boston in the Alliance frigate, February 11th, 1781. France had already done much in accepting and paying bills drawn by Congress. She was now called upon to do more. The

event of Colonel Laurens's mission, with the aid of the venerable Minister, Franklin, was, that France gave in money, as a present, six millions of livres, and ten millions more as a loan, and agreed to send a fleet of not less than thirty sail of the line, at her own expense, as an aid to America. Colonel Laurens and myself returned from Brest the 1st of June following, taking with us two millions and a half of livres (upwards of one hundred thousand pounds sterling) of the money given, and convoying two ships with stores.

We arrived at Boston the 25th of August following. De Grasse arrived with the French fleet in the Chesapeak at the same time, and was afterwards joined by that of Barras, making 31 sail of the line. The money was transported in waggons from Boston to the Bank at Philadelphia, of which Mr. Thomas Willing, who has since put himself at the head of the list of petitioners in favour of the British treaty, was then President. And it was by the aid of this money, and this fleet, and of Rochambeau's army, that Cornwallis was taken; the laurels of which have been unjustly given to Mr. Washington. His merit in that affair was no more than that of any other American officer.

I have had, and still have, as much pride in the American revolution as any man, or as Mr. Washington has a right to have; but that pride has never made me forgetful whence the great aid came that compleated the business. Foreign aid (that of France) was calculated upon at the commencement of the revolution. It is one of the subjects treated of in the pamphlet *Common Sense*, but as a matter that could not be hoped for, unless independence was declared.[1] The aid, however, was greater than could have been expected.

It is as well the ingratitude as the pusillanimity of Mr. Washington, and the Washington faction, that has brought upon America the loss of character she now suffers in the world, and the numerous evils her commerce has undergone, and to which it is yet exposed. The British Ministry soon found out what sort of men they had to deal with, and they

[1] See vol. i. of this work, p. 111. Paine was sharply taken to task on this point by "Cato." *Ib.*, pp. 145–147.—*Editor.*

dealt with them accordingly; and if further explanation was wanting, it has been fully given since, in the snivelling address of the New York Chamber of Commerce to the President, and in that of sundry merchants of Philadelphia, which was not much better.

When the revolution of America was finally established by the termination of the war, the world gave her credit for great character; and she had nothing to do but to stand firm upon that ground. The British ministry had their hands too full of trouble to have provoked a rupture with her, had she shown a proper resolution to defend her rights. But encouraged as they were by the submissive character of the American administration, they proceeded from insult to insult, till none more were left to be offered. The proposals made by Sweden and Denmark to the American administration were disregarded. I know not if so much as an answer has been returned to them. The minister *penitentiary*, (as some of the British prints called him,) Mr. Jay, was sent on a pilgrimage to London, to make up all by penance and petition. In the mean time the lengthy and drowsy writer of the pieces signed *Camillus* held himself in reserve to vindicate every thing; and to sound in America the tocsin of terror upon the inexhaustible resources of England. Her resources, says he, are greater than those of all the other powers. This man is so intoxicated with fear and finance, that he knows not the difference between *plus* and *minus*—between a hundred pounds in hand, and a hundred pounds worse than nothing.

The commerce of America, so far as it had been established by all the treaties that had been formed prior to that by Jay, was free, and the principles upon which it was established were good. That ground ought never to have been departed from. It was the justifiable ground of right, and no temporary difficulties ought to have induced an abandonment of it. The case is now otherwise. The ground, the scene, the pretensions, the every thing, are changed. The commerce of America is, by Jay's treaty, put under foreign dominion. The sea is not free for her. Her right to navi-

gate it is reduced to the right of escaping; that is, until some ship of England or France stops her vessels, and carries them into port. Every article of American produce, whether from the sea or the sand, fish, flesh, vegetable, or manufacture, is, by Jay's treaty, made either contraband or seizable. Nothing is exempt. In all other treaties of commerce, the article which enumerates the contraband articles, such as fire arms, gunpowder, &c., is followed by another article which enumerates the articles not contraband: but it is not so in Jay's treaty. There is no exempting article. Its place is supplied by the article for seizing and carrying into port; and the sweeping phrase of "provisions and *other articles*" includes every thing. There never was such a base and servile treaty of surrender since treaties began to exist.

This is the ground upon which America now stands. All her rights of commerce and navigation are to begin anew, and that with loss of character to begin with. If there is sense enough left in the heart to call a blush into the cheek, the Washington administration must be ashamed to appear.—And as to you, Sir, treacherous in private friendship (for so you have been to me, and that in the day of danger) and a hypocrite in public life, the world will be puzzled to decide whether you are an apostate or an impostor; whether you have abandoned good principles, or whether you ever had any.

THOMAS PAINE.

XXIII.

OBSERVATIONS.[1]

THE United States of America are negociating with Spain respecting the free Navigation of the Mississippi, and the territorial limits of this large river, in conformity with the Treaty of Peace with England dated 30th November, 1782. As the brilliant successes of the French Republic have forced England to grant us, what was in all justice our due, so the continuation of the prosperity of the Republic, will force Spain to make a Treaty with us on the points in controversy.

Since it is certain that all that we shall obtain from Spain will be due to the victories of France, and as the inhabitants of the western part of the United States (which part contains or covers more than half the United States), have decided to claim their rights to the free navigation of the Mississippi, would it not be a wiser policy for the Republican Government (who have only to command to obtain) to arrogate all the merit, by making our demands to Spain, one of the conditions, of France, to consent to restore peace to the Castilians. They have only to declare, they will not make Peace, or that they will support with all their might, the just reclamations of their allies against these Powers,—against England for the surrender of the frontier posts, and for the indemnities due through their depredations on our Trade, and against Spain for our territorial limits, and the free navigation of the Mississippi. This

[1] State Archives, Paris, États Unis, vol. 43, fol. 100. Undated, but evidently written early in the year 1795, when Jay's Treaty was as yet unknown. Paine was then staying in the house of the American Minister, Monroe.—*Editor*.

declaration would certainly not prolong the War a single day more, nor cost the Republic an obole, whilst it would assure all the merit of success to France, and besides produce all the good effects mentioned above.

It may perhaps be observed that the Negociation is already finished with England, and perhaps in a manner which will not be approved of by France. That may be, (though the terms of this arrangement may not be known); but as to Spain, the negociation is still pending, and it is evident that if France makes the above *Declaration* as to this Power (which declaration would be a demonstrative proof of what she would have done in the other case if circumstances had required it), she would receive the same credit as if the Declaration had been made relatively to the two Powers. In fact the Decree or resolution (and perhaps this last would be preferable) can be worded in terms which would declare that in case the arrangement with England were not satisfactory, France will nevertheless, maintain the just demands of America against that Power. A like Declaration, in case Mr. Jay should do anything reprehensible, and which might even be approved of in America, would certainly raise the reputation of the French Republic to the most eminent degree of splendour, and lower in proportion that of her enemies.

It is very certain that France cannot better favour the views of the British party in America, and wound in a most sensible manner the Republican Government of this country, than by adopting a strict and oppressive policy with regard to us. Every one knows that the injustices committed by the privateers and other ships belonging to the French Republic against our navigation, were causes of exultation and joy to this party, even when their own properties were subjected to these depredations, whilst the friends of France and the Revolution were vexed and most confused about it. It follows then, that a generous policy would produce quite opposite effects—it would acquire for France the merit that is her due; it would discourage the hopes of her adversaries, and furnish the friends of humanity and

liberty with the means of acting against the intrigues of England, and cement the Union, and contribute towards the true interests of the two republics.

So sublime and generous a manner of acting, which would not cost anything to France, would cement in a stronger way the ties between the two republics. The effect of such an event, would confound and annihilate in an irrevocable manner all the partisans for the British in America. There are nineteen twentieths of our nation attached through inclination and gratitude to France, and the small number who seek uselessly all sorts of pretexts to magnify the small occasions of complaint which might have subsisted previously will find itself reduced to silence, or have to join their expressions of gratitude to ours.—The results of this event cannot be doubted, though not reckoned on: all the American hearts will be French, and England will be afflicted.

AN AMERICAN.

XXIV.

DISSERTATION ON FIRST PRINCIPLES OF GOVERNMENT.[1]

THERE is no subject more interesting to every man than the subject of government. His security, be he rich or poor, and in a great measure his prosperity, are connected therewith; it is therefore his interest as well as his duty to make himself acquainted with its principles, and what the practice ought to be.

Every art and science, however imperfectly known at first, has been studied, improved, and brought to what we call perfection by the progressive labours of succeeding generations; but the science of government has stood still. No improvement has been made in the principle and scarcely any in the practice till the American revolution began. In all the countries of Europe (except in France) the same

[1] Printed from the first edition, whose title is as above, with the addition: "By Thomas Paine, Author of Common Sense; Rights of Man; Age of Reason. Paris, Printed at the English Press, rue de Vaugerard, No. 970. Third year of the French Republic." The pamphlet seems to have appeared early in July (perhaps the Fourth), 1795, and was meant to influence the decision of the National Convention on the Constitution then under discussion. This Constitution, adopted September 23d, presently swept away by Napoleon, contained some features which appeared to Paine reactionary. Those to which he most objected are quoted by him in his speech in the Convention, which is bound up in the same pamphlet, and follows this "Dissertation" in the present volume. In the Constitution as adopted Paine's preference for a plural Executive was established, and though the bicameral organization (the Council of Five Hundred and the Council of Ancients) was not such as he desired, his chief objection was based on his principle of manhood suffrage. But in regard to this see Paine's "Dissertations on Government," written nine years before (vol. ii., ch. vi. of this work), and especially p. 138 *seq.* of that volume, where he indicates the method of restraining the despotism of numbers.—*Editor.*

forms and systems that were erected in the remote ages of ignorance still continue, and their antiquity is put in the place of principle; it is forbidden to investigate their origin, or by what right they exist. If it be asked how has this happened, the answer is easy: they are established on a principle that is false, and they employ their power to prevent detection.

Notwithstanding the mystery with which the science of government has been enveloped, for the purpose of enslaving, plundering, and imposing upon mankind, it is of all things the least mysterious and the most easy to be understood. The meanest capacity cannot be at a loss, if it begins its enquiries at the right point. Every art and science has some point, or alphabet, at which the study of that art or science begins, and by the assistance of which the progress is facilitated. The same method ought to be observed with respect to the science of government.

Instead then of embarrassing the subject in the outset with the numerous subdivisions under which different forms of government have been classed, such as aristocracy, democracy, oligarchy, monarchy, &c. the better method will be to begin with what may be called primary divisions, or those under which all the several subdivisions will be comprehended.

The primary divisions are but two:

First, government by election and representation.

Secondly, government by hereditary succession.

All the several forms and systems of government, however numerous or diversified, class themselves under one or other of those primary divisions; for either they are on the system of representation, or on that of hereditary succession. As to that equivocal thing called mixed government, such as the late government of Holland, and the present government of England, it does not make an exception to the general rule, because the parts separately considered are either representative or hereditary.

Beginning then our enquiries at this point, we have first to examine into the nature of those two primary divisions.

If they are equally right in principle, it is mere matter of opinion which we prefer. If the one be demonstratively better than the other, that difference directs our choice; but if one of them should be so absolutely false as not to have a right to existence, the matter settles itself at once; because a negative proved on one thing, where two only are offered, and one must be accepted, amounts to an affirmative on the other.

The revolutions that are now spreading themselves in the world have their origin in this state of the case, and the present war is a conflict between the representative system founded on the rights of the people, and the hereditary system founded in usurpation. As to what are called Monarchy, Royalty, and Aristocracy, they do not, either as things or as terms, sufficiently describe the hereditary system; they are but secondary things or signs of the hereditary system, and which fall of themselves if that system has not a right to exist. Were there no such terms as Monarchy, Royalty, and Aristocracy, or were other terms substituted in their place, the hereditary system, if it continued, would not be altered thereby. It would be the same system under any other titulary name as it is now.

The character therefore of the revolutions of the present day distinguishes itself most definitively by grounding itself on the system of representative government, in opposition to the hereditary. No other distinction reaches the whole of the principle.

Having thus opened the case generally, I proceed, in the first place, to examine the hereditary system, because it has the priority in point of time. The representative system is the invention of the modern world; and, that no doubt may arise as to my own opinion, I declare it before hand, which is, *that there is not a problem in Euclid more mathematically true, than that hereditary government has not a right to exist. When therefore we take from any man the exercise of hereditary power, we take away that which he never had the right to possess, and which no law or custom could, or ever can, give him a title to.*

The arguments that have hitherto been employed against the hereditary system have been chiefly founded upon the absurdity of it, and its incompetency to the purpose of good government. Nothing can present to our judgment, or to our imagination, a figure of greater absurdity, than that of seeing the government of a nation fall, as it frequently does, into the hands of a lad necessarily destitute of experience, and often little better than a fool. It is an insult to every man of years, of character, and of talents, in a country. The moment we begin to reason upon the hereditary system, it falls into derision; let but a single idea begin, and a thousand will soon follow. Insignificance, imbecility, childhood, dotage, want of moral character; in fine, every defect serious or laughable unite to hold up the hereditary system as a figure of ridicule. Leaving, however, the ridiculousness of the thing to the reflections of the reader, I proceed to the more important part of the question, namely, whether such a system has a right to exist.

To be satisfied of the right of a thing to exist, we must be satisfied that it had a right to begin. If it had not a right to begin, it has not a right to continue. By what right then did the hereditary system begin? Let a man but ask himself this question, and he will find that he cannot satisfy himself with an answer.

The right which any man or any family had to set itself up at first to govern a nation, and to establish itself hereditarily, was no other than the right which Robespierre had to do the same thing in France. If he had none, they had none. If they had any, he had as much; for it is impossible to discover superiority of right in any family, by virtue of which hereditary government could begin. The Capets, the Guelphs, the Robespierres, the Marats, are all on the same standing as to the question of right. It belongs exclusively to none.

It is one step towards liberty, to perceive that hereditary government could not begin as an exclusive right in any family. The next point will be, whether, having once begun, it could grow into a right by the influence of time.

This would be supposing an absurdity; for either it is putting time in the place of principle, or making it superior to principle; whereas time has no more connection with, or influence upon principle, than principle has upon time. The wrong which began a thousand years ago, is as much a wrong as if it began to-day; and the right which originates to-day, is as much a right as if it had the sanction of a thousand years. Time with respect to principles is an eternal NOW: it has no operation upon them: it changes nothing of their nature and qualities. But what have we to do with a thousand years? Our life-time is but a short portion of that period, and if we find the wrong in existence as soon as we begin to live, that is the point of time at which it begins to us; and our right to resist it is the same as if it never existed before.

As hereditary government could not begin as a natural right in any family, nor derive after its commencement any right from time, we have only to examine whether there exist in a nation a right to set it up, and establish it by what is called law, as has been done in England. I answer NO; and that any law or any constitution made for that purpose is an act of treason against the right of every minor in the nation, at the time it is made, and against the rights of all succeeding generations. I shall speak upon each of those cases. First, of the minor at the time such law is made. Secondly, of the generations that are to follow.

A nation, in a collective sense, comprehends all the individuals of whatever age, from just born to just dying. Of these, one part will be minors, and the other aged. The average of life is not exactly the same in every climate and country, but in general, the minority in years are the majority in numbers; that is, the number of persons under twenty-one years, is greater than the number of persons above that age. This difference in number is not necessary to the establishment of the principle I mean to lay down, but it serves to shew the justice of it more strongly. The principle would be equally as good, if the majority in years were also the majority in numbers.

The rights of minors are as sacred as the rights of the aged. The difference is altogether in the different age of the two parties, and nothing in the nature of the rights; the rights are the same rights; and are to be preserved inviolate for the inheritance of the minors when they shall come of age. During the minority of minors their rights are under the sacred guardianship of the aged. The minor cannot surrender them; the guardian cannot dispossess him; consequently, the aged part of a nation, who are the law-makers for the *time being*, and who, in the march of life are but a few years ahead of those who are yet minors, and to whom they must shortly give place, have not and cannot have the right to make a law to set up and establish hereditary government, or, to speak more distinctly, *an hereditary succession of governors;* because it is an attempt to deprive every minor in the nation, at the time such a law is made, of his inheritance of rights when he shall come of age, and to subjugate him to a system of government to which, during his minority, he could neither consent nor object.

If a person who is a minor at the time such a law is proposed, had happened to have been born a few years sooner, so as to be of the age of twenty-one years at the time of proposing it, his right to have objected against it, to have exposed the injustice and tyrannical principles of it, and to have voted against it, will be admitted on all sides. If, therefore, the law operates to prevent his exercising the same rights after he comes of age as he would have had a right to exercise had he been of age at the time, it is undeniably a law to take away and annul the rights of every person in the nation who shall be a minor at the time of making such a law, and consequently the right to make it cannot exist.

I come now to speak of government by hereditary succession, as it applies to succeeding generations; and to shew that in this case, as in the case of minors, there does not exist in a nation a right to set it up.

A nation, though continually existing, is continually in a state of renewal and succession. It is never stationary.

Every day produces new births, carries minors forward to maturity, and old persons from the stage. In this ever running flood of generations there is no part superior in authority to another. Could we conceive an idea of superiority in any, at what point of time, or in what century of the world, are we to fix it? To what cause are we to ascribe it? By what evidence are we to prove it? By what criterion are we to know it? A single reflection will teach us that our ancestors, like ourselves, were but tenants for life in the great freehold of rights. The fee-absolute was not in them, it is not in us, it belongs to the whole family of man, thro' all ages. If we think otherwise than this, we think either as slaves or as tyrants. As slaves, if we think that any former generation had a right to bind us; as tyrants, if we think that we have authority to bind the generations that are to follow.

It may not be inapplicable to the subject, to endeavour to define what is to be understood by a generation, in the sense the word is here used.

As a natural term its meaning is sufficiently clear. The father, the son, the grandson, are so many distinct generations. But when we speak of a generation as describing the persons in whom legal authority resides, as distinct from another generation of the same description who are to succeed them, it comprehends all those who are above the age of twenty-one years, at the time that we count from; and a generation of this kind will continue in authority between fourteen and twenty-one years, that is, until the number of minors, who shall have arrived at age, shall be greater than the number of persons remaining of the former stock.

For example: if France, at this or any other moment, contains twenty-four millions of souls, twelve millions will be males, and twelve females. Of the twelve millions of males, six millions will be of the age of twenty-one years, and six will be under, and the authority to govern will reside in the first six. But every day will make some alteration, and in twenty-one years every one of those minors who survives will have arrived at age, and the greater part

of the former stock will be gone: the majority of persons then living, in whom the legal authority resides, will be composed of those who, twenty-one years before, had no legal existence. Those will be fathers and grandfathers in their turn, and, in the next twenty-one years, (or less) another race of minors, arrived at age, will succeed them, and so on.

As this is ever the case, and as every generation is equal in rights to another, it consequently follows, that there cannot be a right in any to establish government by hereditary succession, because it would be supposing itself possessed of a right superior to the rest, namely, that of commanding by its own authority how the world shall be hereafter governed, and who shall govern it. Every age and generation is, and must be, (as a matter of right,) as free to act for itself in all cases, as the age and generation that preceded it. The vanity and presumption of governing beyond the grave is the most ridiculous and insolent of all tyrannies. Man has no property in man, neither has one generation a property in the generations that are to follow.

In the first part of the Rights of Man I have spoken of government by hereditary succession; and I will here close the subject with an extract from that work, which states it under the two following heads.[1] * * *

The history of the English parliament furnishes an example of this kind; and which merits to be recorded, as being the greatest instance of legislative ignorance and want of principle that is to be found in any country. The case is as follows:

The English parliament of 1688, imported a man and his wife from Holland, *William* and *Mary*, and made them king and queen of England.[2] Having done this, the said parlia-

[1] The quotation, here omitted, will be found in vol. ii. of this work, beginning with p. 364, and continuing, with a few omissions, to the 15th line of p. 366. This "Dissertation" was originally written for circulation in Holland, where Paine's "Rights of Man" was not well known.—*Editor.*

[2] "The Bill of Rights (*temp.* William III.) shows that the Lords and Commons met not in *Parliament* but in *convention*, that they declared against James II., and in favour of William III. The latter was accepted as sovereign,

ment made a law to convey the government of the country to the heirs of William and Mary, in the following words: "We, the lords spiritual and temporal, and commons, do, in the name of the people of England, most humbly and faithfully submit *ourselves, our heirs, and posterities*, to William and Mary, *their heirs and posterities*, for ever." And in a subsequent law, as quoted by Edmund Burke, the said parliament, in the name of the people of England then living, *binds the said people, their heirs and posterities, to William and Mary, their heirs and posterities, to the end of time.*

It is not sufficient that we laugh at the ignorance of such law-makers; it is necessary that we reprobate their want of principle. The constituent assembly of France, 1789, fell into the same vice as the parliament of England had done, and assumed to establish an hereditary succession in the family of the Capets, as an act of the constitution of that year. That every nation, *for the time being*, has a right to govern itself as it pleases, must always be admitted; but government by hereditary succession is government for another race of people, and not for itself; and as those on whom it is to operate are not yet in existence, or are minors, so neither is the right in existence to set it up for them, and to assume such a right is treason against the right of posterity.

I here close the arguments on the first head, that of government by hereditary succession; and proceed to the second, that of government by election and representation; or, as it may be concisely expressed, *representative government*, in contra-distinction to *hereditary government.*

Reasoning by exclusion, if *hereditary government* has not a right to exist, and that it has not is proveable, *representative government* is admitted of course.

In contemplating government by election and representa-

and, when monarch, Acts of Parliament were passed confirming what had been done."—Joseph Fisher in *Notes and Queries* (London), May 2, 1874. This does not affect Paine's argument, as a Convention could have no more right to bind the future than a Parliament.—*Editor.*

tion, we amuse not ourselves in enquiring when or how, or by what right, it began. Its origin is ever in view. Man is himself the origin and the evidence of the right. It appertains to him in right of his existence, and his person is the title deed.[1]

The true and only true basis of representative government is equality of Rights. Every man has a right to one vote, and no more, in the choice of representatives. The rich have no more right to exclude the poor from the right of voting, or of electing and being elected, than the poor have to exclude the rich; and wherever it is attempted, or proposed, on either side, it is a question of force and not of right. Who is he that would exclude another? That other has a right to exclude him.

That which is now called aristocracy implies an inequality of rights; but who are the persons that have a right to establish this inequality? Will the rich exclude themselves? No. Will the poor exclude themselves? No. By what right then can any be excluded? It would be a question, if any man or class of men have a right to exclude themselves; but, be this as it may, they cannot have the right to exclude another. The poor will not delegate such a right to the rich, nor the rich to the poor, and to assume it is not only to assume arbitrary power, but to assume a right to commit robbery. Personal rights, of which the right of voting for representatives is one, are a species of property of the most sacred kind: and he that would employ his pecuniary property, or presume upon the influence it gives him, to dispossess or rob another of his property of rights, uses that pecuniary property as he would use fire-arms, and merits to have it taken from him.

[1] "The sacred rights of mankind are not to be rummaged for among old parchments or musty records. They are written as with a sunbeam in the whole volume of human nature by the hand of Divinity itself, and can never be erased or obscured by mortal power."—Alexander Hamilton, 1775. (*Cf. Rights of Man*, vol. ii., p. 304: "Portions of antiquity by proving everything establish nothing. It is authority against authority all the way, till we come to the divine origin of the rights of man at the creation."—*Editor*.

Inequality of rights is created by a combination in one part of the community to exclude another part from its rights. Whenever it be made an article of a constitution, or a law, that the right of voting, or of electing and being elected, shall appertain exclusively to persons possessing a certain quantity of property, be it little or much, it is a combination of the persons possessing that quantity to exclude those who do not possess the same quantity. It is investing themselves with powers as a self-created part of society, to the exclusion of the rest.

It is always to be taken for granted, that those who oppose an equality of rights never mean the exclusion should take place on themselves; and in this view of the case, pardoning the vanity of the thing, aristocracy is a subject of laughter. This self-soothing vanity is encouraged by another idea not less selfish, which is, that the opposers conceive they are playing a safe game, in which there is a chance to gain and none to lose; that at any rate the doctrine of equality includes *them*, and that if they cannot get more rights than those whom they oppose and would exclude, they shall not have less. This opinion has already been fatal to thousands, who, not contented with *equal rights*, have sought more till they lost all, and experienced in themselves the degrading *inequality* they endeavoured to fix upon others.

In any view of the case it is dangerous and impolitic, sometimes ridiculous, and always unjust, to make property the criterion of the right of voting. If the sum or value of the property upon which the right is to take place be considerable, it will exclude a majority of the people, and unite them in a common interest against the government and against those who support it; and as the power is always with the majority, they can overturn such a government and its supporters whenever they please.

If, in order to avoid this danger, a small quantity of property be fixed, as the criterion of the right, it exhibits liberty in disgrace, by putting it in competition with accident and insignificance. When a brood-mare shall fortunately produce a foal or a mule that, by being worth the sum in ques-

tion, shall convey to its owner the right of voting, or by its death take it from him, in whom does the origin of such a right exist? Is it in the man, or in the mule? When we consider how many ways property may be acquired without merit, and lost without a crime, we ought to spurn the idea of making it a criterion of rights.

But the offensive part of the case is, that this exclusion from the right of voting implies a stigma on the moral character of the persons excluded; and this is what no part of the community has a right to pronounce upon another part. No external circumstance can justify it: wealth is no proof of moral character; nor poverty of the want of it. On the contrary, wealth is often the presumptive evidence of dishonesty; and poverty the negative evidence of innocence. If therefore property, whether little or much, be made a criterion, the means by which that property has been acquired ought to be made a criterion also.

The only ground upon which exclusion from the right of voting is consistent with justice, would be to inflict it as a punishment for a certain time upon those who should propose to take away that right from others. The right of voting for representatives is the primary right by which other rights are protected. To take away this right is to reduce a man to slavery, for slavery consists in being subject to the will of another, and he that has not a vote in the election of representatives is in this case. The proposal therefore to disfranchise any class of men is as criminal as the proposal to take away property. When we speak of right, we ought always to unite with it the idea of duties: rights become duties by reciprocity. The right which I enjoy becomes my duty to guarantee it to another, and he to me; and those who violate the duty justly incur a forfeiture of the right.

In a political view of the case, the strength and permanent security of government is in proportion to the number of people interested in supporting it. The true policy therefore is to interest the whole by an equality of rights, for the danger arises from exclusions. It is possible to exclude

men from the right of voting, but it is impossible to exclude them from the right of rebelling against that exclusion; and when all other rights are taken away, the right of rebellion is made perfect.

While men could be persuaded they had no rights, or that rights appertained only to a certain class of men, or that government was a thing existing in right of itself, it was not difficult to govern them authoritatively. The ignorance in which they were held, and the superstition in which they were instructed, furnished the means of doing it. But when the ignorance is gone, and the superstition with it; when they perceive the imposition that has been acted upon them; when they reflect that the cultivator and the manufacturer are the primary means of all the wealth that exists in the world, beyond what nature spontaneously produces; when they begin to feel their consequence by their usefulness, and their right as members of society, it is then no longer possible to govern them as before. The fraud once detected cannot be re-acted. To attempt it is to provoke derision, or invite destruction.

That property will ever be unequal is certain. Industry, superiority of talents, dexterity of management, extreme frugality, fortunate opportunities, or the opposite, or the means of those things, will ever produce that effect, without having recourse to the harsh, ill sounding names of avarice and oppression; and besides this, there are some men who, though they do not despise wealth, will not stoop to the drudgery or the means of acquiring it, nor will be troubled with it beyond their wants or their independence; whilst in others there is an avidity to obtain it by every means not punishable; it makes the sole business of their lives, and they follow it as a religion. All that is required with respect to property is to obtain it honestly, and not employ it criminally; but it is always criminally employed when it is made a criterion for exclusive rights.

In institutions that are purely pecuniary, such as that of a bank or a commercial company, the rights of the members composing that company are wholly created by the property

they invest therein; and no other rights are represented in the government of that company, than what arise out of that property; neither has that government cognizance of *any thing but property*.

But the case is totally different with respect to the institution of civil government, organized on the system of representation. Such a government has cognizance of *every thing*, and of *every man* as a member of the national society, whether he has property or not; and, therefore, the principle requires that *every man*, and *every kind of right*, be represented, of which the right to acquire and to hold property is but one, and that not of the most essential kind. The protection of a man's person is more sacred than the protection of property; and besides this, the faculty of performing any kind of work or services by which he acquires a livelihood, or maintaining his family, is of the nature of property. It is property to him; he has acquired it; and it is as much the object of his protection as exterior property, possessed without that faculty, can be the object of protection in another person.

I have always believed that the best security for property, be it much or little, is to remove from every part of the community, as far as can possibly be done, every cause of complaint, and every motive to violence; and this can only be done by an equality of rights. When rights are secure, property is secure in consequence. But when property is made a pretence for unequal or exclusive rights, it weakens the right to hold the property, and provokes indignation and tumult; for it is unnatural to believe that property can be secure under the guarantee of a society injured in its rights by the influence of that property.

Next to the injustice and ill-policy of making property a pretence for exclusive rights, is the unaccountable absurdity of giving to mere *sound* the idea of property, and annexing to it certain rights; for what else is a *title* but sound? Nature is often giving to the world some extraordinary men who arrive at fame by merit and universal consent, such as Aristotle, Socrates, Plato, &c. They were truly great or noble.

But when government sets up a manufactory of nobles, it is as absurd as if she undertook to manufacture wise men. Her nobles are all counterfeits.

This wax-work order has assumed the name of aristocracy; and the disgrace of it would be lessened if it could be considered only as childish imbecility. We pardon foppery because of its insignificance, and on the same ground we might pardon the foppery of Titles. But the origin of aristocracy was worse than foppery. It was robbery. The first aristocrats in all countries were brigands. Those of later times, sycophants.

It is very well known that in England, (and the same will be found in other countries) the great landed estates now held in descent were plundered from the quiet inhabitants at the conquest. The possibility did not exist of acquiring such estates honestly. If it be asked how they could have been acquired, no answer but that of robbery can be given. That they were not acquired by trade, by commerce, by manufactures, by agriculture, or by any reputable employment, is certain. How then were they acquired? Blush, aristocracy, to hear your origin, for your progenitors were Thieves. They were the Robespierres and the Jacobins of that day. When they had committed the robbery, they endeavoured to lose the disgrace of it by sinking their real names under fictitious ones, which they called Titles. It is ever the practice of Felons to act in this manner. They never pass by their real names.[1]

As property, honestly obtained, is best secured by an equality of Rights, so ill-gotten property depends for protection on a monopoly of rights. He who has robbed another of his property, will next endeavour to disarm him of his rights, to secure that property; for when the robber becomes the legislator he believes himself secure. That part of the government of England that is called the house of lords, was originally composed of persons who had committed the rob-

[1] This and the preceding paragraph have been omitted from some editions.—*Editor.*

beries of which I have been speaking. It was an association for the protection of the property they had stolen.

But besides the criminality of the origin of aristocracy, it has an injurious effect on the moral and physical character of man. Like slavery it debilitates the human faculties; for as the mind bowed down by slavery loses in silence its elastic powers, so, in the contrary extreme, when it is buoyed up by folly, it becomes incapable of exerting them, and dwindles into imbecility. It is impossible that a mind employed upon ribbands and titles can ever be great. The childishness of the objects consumes the man.

It is at all times necessary, and more particularly so during the progress of a revolution, and until right ideas confirm themselves by habit, that we frequently refresh our patriotism by reference to first principles. It is by tracing things to their origin that we learn to understand them: and it is by keeping that line and that origin always in view that we never forget them.

An enquiry into the origin of Rights will demonstrate to us that *rights* are not *gifts* from one man to another, nor from one class of men to another; for who is he who could be the first giver, or by what principle, or on what authority, could he possess the right of giving? A declaration of rights is not a creation of them, nor a donation of them. It is a manifest of the principle by which they exist, followed by a detail of what the rights are; for every civil right has a natural right for its foundation, and it includes the principle of a reciprocal guarantee of those rights from man to man. As, therefore, it is impossible to discover any origin of rights otherwise than in the origin of man, it consequently follows, that rights appertain to man in right of his existence only, and must therefore be equal to every man. The principle of an *equality of rights* is clear and simple. Every man can understand it, and it is by understanding his rights that he learns his duties; for where the rights of men are equal, every man must finally see the necessity of protecting the rights of others as the most effectual security for his own. But if, in the formation of a constitution, we depart from the prin-

ciple of equal rights, or attempt any modification of it, we plunge into a labyrinth of difficulties from which there is no way out but by retreating. Where are we to stop? Or by what principle are we to find out the point to stop at, that shall discriminate between men of the same country, part of whom shall be free, and the rest not? If property is to be made the criterion, it is a total departure from every moral principle of liberty, because it is attaching rights to mere matter, and making man the agent of that matter. It is, moreover, holding up property as an apple of discord, and not only exciting but justifying war against it; for I maintain the principle, that when property is used as an instrument to take away the rights of those who may happen not to possess property, it is used to an unlawful purpose, as fire-arms would be in a similar case.

In a state of nature all men are equal in rights, but they are not equal in power; the weak cannot protect themselves against the strong. This being the case, the institution of civil society is for the purpose of making an equalization of powers that shall be parallel to, and a guarantee of, the equality of rights. The laws of a country, when properly constructed, apply to this purpose. Every man takes the arm of the law for his protection as more effectual than his own; and therefore every man has an equal right in the formation of the government, and of the laws by which he is to be governed and judged. In extensive countries and societies, such as America and France, this right in the individual can only be exercised by delegation, that is, by election and representation; and hence it is that the institution of representative government arises.

Hitherto, I have confined myself to matters of principle only. First, that hereditary government has not a right to exist; that it cannot be established on any principle of right; and that it is a violation of all principle. Secondly, that government by election and representation has its origin in the natural and eternal rights of man; for whether a man be his own lawgiver, as he would be in a state of nature; or whether he exercises his portion of legislative sovereignty in

his own person, as might be the case in small democracies where all could assemble for the formation of the laws by which they were to be governed ; or whether he exercises it in the choice of persons to represent him in a national assembly of representatives, the origin of the right is the same in all cases. The first, as is before observed, is defective in power; the second, is practicable only in democracies of small extent; the third, is the greatest scale upon which human government can be instituted.

Next to matters of *principle* are matters of *opinion*, and it is necessary to distinguish between the two. Whether the rights of men shall be equal is not a matter of opinion but of right, and consequently of principle ; for men do not hold their rights as grants from each other, but each one in right of himself. Society is the guardian but not the giver. And as in extensive societies, such as America and France, the right of the individual in matters of government cannot be exercised but by election and representation, it consequently follows that the only system of government consistent with principle, where simple democracy is impracticable, is the representative system. But as to the organical part, or the manner in which the several parts of government shall be arranged and composed, it is altogether *matter of opinion.* It is necessary that all the parts be conformable with the *principle of equal rights;* and so long as this principle be religiously adhered to, no very material error can take place, neither can any error continue long in that part which falls within the province of opinion.

In all matters of opinion, the social compact, or the principle by which society is held together, requires that the majority of opinions becomes the rule for the whole, and that the minority yields practical obedience thereto. This is perfectly conformable to the principle of equal rights: for, in the first place, every man has a *right to give an opinion* but no man has a right that his opinion should *govern the rest.* In the second place, it is not supposed to be known beforehand on which side of any question, whether for or against, any man's opinion will fall. He may happen to

be in a majority upon some questions, and in a minority upon others; and by the same rule that he expects obedience in the one case, he must yield it in the other. All the disorders that have arisen in France, during the progress of the revolution, have had their origin, not in the *principle of equal rights*, but in the violation of that principle. The principle of equal rights has been repeatedly violated, and that not by the majority but by the minority, and *that minority has been composed of men possessing property, as well as of men without property; property, therefore, even upon the experience already had, is no more a criterion of character than it is of rights.* It will sometimes happen that the minority are right, and the majority are wrong, but as soon as experience proves this to be the case, the minority will increase to a majority, and the error will reform itself by the tranquil operation of freedom of opinion and equality of rights. Nothing, therefore, can justify an insurrection, neither can it ever be necessary where rights are equal and opinions free.

Taking then the principle of equal rights as the foundation of the revolution, and consequently of the constitution, the organical part, or the manner in which the several parts of the government shall be arranged in the constitution, will, as is already said, fall within the province of opinion.

Various methods will present themselves upon a question of this kind, and tho' experience is yet wanting to determine which is the best, it has, I think, sufficiently decided which is the worst. That is the worst, which in its deliberations and decisions is subject to the precipitancy and passion of an individual; and when the whole legislature is crowded into one body it is an individual in mass. In all cases of deliberation it is necessary to have a corps of reserve, and it would be better to divide the representation by lot into two parts, and let them revise and correct each other, than that the whole should sit together, and debate at once.

Representative government is not necessarily confined to any one particular form. The principle is the same in all

the forms under which it can be arranged. The equal rights of the people is the root from which the whole springs, and the branches may be arranged as present opinion or future experience shall best direct. As to that *hospital of incurables* (as Chesterfield calls it), the British house of peers, it is an excrescence growing out of corruption; and there is no more affinity or resemblance between any of the branches of a legislative body originating from the right of the people, and the aforesaid house of peers, than between a regular member of the human body and an ulcerated wen.

As to that part of government that is called the *executive*, it is necessary in the first place to fix a precise meaning to the word.

There are but two divisions into which power can be arranged. First, that of willing or decreeing the laws; secondly, that of executing or putting them in practice. The former corresponds to the intellectual faculties of the human mind, which reasons and determines what shall be done; the second, to the mechanical powers of the human body, that puts that determination into practice.[1] If the former decides, and the latter does not perform, it is a state of imbecility; and if the latter acts without the predetermination of the former, it is a state of lunacy. The executive department therefore is official, and is subordinate to the legislative, as the body is to the mind, in a state of health; for it is impossible to conceive the idea of two sovereignties, a sovereignty to *will*, and a sovereignty to *act*. The executive is not invested with the power of deliberating whether it shall act or not; it has no discretionary authority in the case; for it can *act no other thing* than what the laws decree, and it is *obliged* to act conformably thereto; and in this view of the case, the executive is made up of all the official departments that execute the laws, of which that which is called the judiciary is the chief.

But mankind have conceived an idea that *some kind of authority* is necessary to *superintend* the execution of the

[1] Paine may have had in mind the five senses, with reference to the proposed five members of the Directory.—*Editor*.

laws and to see that they are faithfully performed; and it is by confounding this superintending authority with the official execution that we get embarrassed about the term *executive power*. All the parts in the governments of the United States of America that are called THE EXECUTIVE, are no other than authorities to superintend the execution of the laws; and they are so far independent of the legislative, that they know the legislative only thro' the laws, and cannot be controuled or directed by it through any other medium.

In what manner this superintending authority shall be appointed, or composed, is a matter that falls within the province of opinion. Some may prefer one method and some another; and in all cases, where opinion only and not principle is concerned, the majority of opinions forms the rule for all. There are however some things deducible from reason, and evidenced by experience, that serve to guide our decision upon the case. The one is, never to invest any individual with extraordinary power; for besides his being tempted to misuse it, it will excite contention and commotion in the nation for the office. Secondly, never to invest power long in the hands of any number of individuals. The inconveniences that may be supposed to accompany frequent changes are less to be feared than the danger that arises from long continuance.

I shall conclude this discourse with offering some observations on the means of *preserving liberty;* for it is not only necessary that we establish it, but that we preserve it.

It is, in the first place, necessary that we distinguish between the means made use of to overthrow despotism, in order to prepare the way for the establishment of liberty, and the means to be used after the despotism is overthrown.

The means made use of in the first case are justified by necessity. Those means are, in general, insurrections; for whilst the established government of despotism continues in any country it is scarcely possible that any other means can be used. It is also certain that in the commencement of a revolution, the revolutionary party permit to themselves a *discretionary exercise of power* regulated more by circum-

stances than by principle, which, were the practice to continue, liberty would never be established, or if established would soon be overthrown. It is never to be expected in a revolution that every man is to change his opinion at the same moment. There never yet was any truth or any principle so irresistibly obvious, that all men believed it at once. Time and reason must co-operate with each other to the final establishment of any principle; and therefore those who may happen to be first convinced have not a right to persecute others, on whom conviction operates more slowly. The moral principle of revolutions is to instruct, not to destroy.

Had a constitution been established two years ago, (as ought to have been done,) the violences that have since desolated France and injured the character of the revolution, would, in my opinion, have been prevented.[1] The nation would then have had a bond of union, and every individual would have known the line of conduct he was to follow. But, instead of this, a revolutionary government, a thing without either principle or authority, was substituted in its place; virtue and crime depended upon accident; and that which was patriotism one day, became treason the next. All these things have followed from the want of a constitution; for it is the nature and intention of a constitution to *prevent governing by party*, by establishing a common principle that shall limit and control the power and impulse of party, and that says to all parties, *thus far shalt thou go and no further*. But in the absence of a constitution, men look entirely to party; and instead of principle governing party, party governs principle.

An avidity to punish is always dangerous to liberty. It leads men to stretch, to misinterpret, and to misapply even the best of laws. He that would make his own liberty secure, must guard even his enemy from oppression; for if he violates this duty, he establishes a precedent that will reach to himself.

THOMAS PAINE.

PARIS, July, 1795.

[1] The Constitution adopted August 10, 1793, was by the determination of "The Mountain," suspended during the war against France. The revolutionary government was thus made chronic.—*Editor.*

XXV.

THE CONSTITUTION OF 1795.

SPEECH IN THE FRENCH NATIONAL CONVENTION, JULY 7, 1795.

On the motion of Lanthenas, "That permission be granted to Thomas Paine, to deliver his sentiments on the declaration of rights and the constitution," Thomas Paine ascended the Tribune; and no opposition being made to the motion, one of the Secretaries, who stood by Mr. Paine, read his speech, of which the following is a literal translation:

Citizens:

The effects of a malignant fever, with which I was afflicted during a rigorous confinement in the Luxembourg, have thus long prevented me from attending at my post in the bosom of the Convention, and the magnitude of the subject under discussion, and no other consideration on earth, could induce me now to repair to my station.

A recurrence to the vicissitudes I have experienced, and the critical situations in which I have been placed in consequence of the French Revolution, will throw upon what I now propose to submit to the Convention the most unequivocal proofs of my integrity, and the rectitude of those principles which have uniformly influenced my conduct.

In England I was proscribed for having vindicated the French Revolution, and I have suffered a rigorous imprisonment in France for having pursued a similar mode of conduct. During the reign of terrorism, I was a close prisoner

for eight long months, and remained so above three months after the era of the 10th Thermidor.[1] I ought, however, to state, that I was not persecuted by the *people* either of England or France. The proceedings in both countries were the effects of the despotism existing in their respective governments. But, even if my persecution had originated in the people at large, my principles and conduct would still have remained the same. Principles which are influenced and subject to the controul of tyranny, have not their foundation in the heart.

A few days ago, I transmitted to you by the ordinary mode of distribution, a short Treatise, entitled "Dissertation on the First Principles of Government." This little work I did intend to have dedicated to the people of Holland, who, about the time I began to write it, were determined to accomplish a Revolution in their Government, rather than to the people of France, who had long before effected that glorious object. But there are, in the Constitution which is about to be ratified by the Convention certain articles, and in the report which preceded it certain points, so repugnant to reason, and incompatible with the true principles of liberty, as to render this Treatise, drawn up for another purpose, applicable to the present occasion, and under this impression I presumed to submit it to your consideration.

If there be faults in the Constitution, it were better to expunge them now, than to abide the event of their mischievous tendency; for certain it is, that the plan of the Constitution which has been presented to you is not consistent with the grand object of the Revolution, nor congenial to the sentiments of the individuals who accomplished it.

To deprive half the people in a nation of their rights as citizens, is an easy matter in theory or on paper: but it is a most dangerous experiment, and rarely practicable in the execution.

[1] By the French republican calendar this was nearly the time. Paine's imprisonment lasted from December 28, 1793, to November 4, 1794. He was by a unanimous vote recalled to the Convention, Dec. 7, 1794, but his first appearance there was on July 7, 1795.—*Editor.*

I shall now proceed to the observations I have to offer on this important subject; and I pledge myself that they shall be neither numerous nor diffusive.

In my apprehension, a constitution embraces two distinct parts or objects, the *Principle* and the *Practice;* and it is not only an essential but an indispensable provision that the practice should emanate from, and accord with, the principle. Now I maintain, that the reverse of this proposition is the case in the plan of the Constitution under discussion. The first article, for instance, of the *political state* of citizens, (v. Title ii. of the Constitution,) says:

"Every man born and resident in France, who, being twenty-one years of age, has inscribed his name on the Civic Register of his Canton, and who has lived afterwards one year on the territory of the Republic, and who pays any direct contribution whatever, real or personal, is a French citizen." [1]

I might here ask, if those only who come under the above description are to be considered as citizens, what designation do you mean to give the rest of the people? I allude to that portion of the people on whom the principal part of the labour falls, and on whom the weight of indirect taxation will in the event chiefly press. In the structure of the social fabric, this class of people are infinitely superior to that privileged order whose only qualification is their wealth or territorial possessions. For what is trade without merchants? What is land without cultivation? And what is the produce of the land without manufactures? But to return to the subject.

In the first place, this article is incompatible with the three first articles of the Declaration of Rights, which precede the Constitutional Act.

The first article of the Declaration of Rights says:

"The end of society is the public good; and the institution of government is to secure to every individual the enjoyment of his rights."

[1] The article as ultimately adopted substituted "person" for "man," and for "has inscribed his name" (a slight educational test) inserted "whose name is inscribed."—*Editor.*

But the article of the Constitution to which I have just adverted proposes as the object of society, not the public good, or in other words, the good of *all*, but a partial good; or the good only of a *few;* and the Constitution provides solely for the rights of this few, to the exclusion of the many.

The second article of the Declaration of Rights says:

"The Rights of Man in society are Liberty, Equality, Security of his person and property."

But the article alluded to in the Constitution has a direct tendency to establish the reverse of this position, inasmuch as the persons excluded by this *inequality* can neither be said to possess liberty, nor security against oppression. They are consigned totally to the caprice and tyranny of the rest.

The third article of the Declaration of Rights says:

"Liberty consists in such acts of volition as are not injurious to others."

But the article of the Constitution, on which I have observed, breaks down this barrier. It enables the liberty of one part of society to destroy the freedom of the other.

Having thus pointed out the inconsistency of this article to the Declaration of Rights, I shall proceed to comment on that of the same article which makes a direct contribution a necessary qualification to the right of citizenship.

A modern refinement on the object of public revenue has divided the taxes, or contributions, into two classes, the *direct* and the *indirect*, without being able to define precisely the distinction or difference between them, because the effect of both is the same.

Those are designated indirect taxes which fall upon the consumers of certain articles, on which the tax is imposed, because, the tax being included in the price, the consumer pays it without taking notice of it.

The same observation is applicable to the territorial tax. The land proprietors, in order to reimburse themselves, will rack-rent their tenants: the farmer, of course, will transfer the obligation to the miller, by enhancing the price of grain;

the miller to the baker, by increasing the price of flour; and the baker to the consumer, by raising the price of bread. The territorial tax, therefore, though called *direct*, is, in its consequences, *indirect*.

To this tax the land proprietor contributes only in proportion to the quantity of bread and other provisions that are consumed in his own family. The deficit is furnished by the great mass of the community, which comprehends every individual of the nation.

From the logical distinction between the direct and indirect taxation, some emolument may result, I allow, to auditors of public accounts, &c., but to the people at large I deny that such a distinction (which by the by is without a difference) can be productive of any practical benefit. It ought not, therefore, to be admitted as a principle in the constitution.

Besides this objection, the provision in question does not affect to define, secure, or establish the right of citizenship. It consigns to the caprice or discretion of the legislature the power of pronouncing who shall, or shall not, exercise the functions of a citizen; and this may be done effectually, either by the imposition of a *direct* or *indirect* tax, according to the selfish views of the legislators, or by the mode of collecting the taxes so imposed.

Neither a tenant who occupies an extensive farm, nor a merchant or manufacturer who may have embarked a large capital in their respective pursuits, can ever, according to this system, attain the pre-emption of a citizen. On the other hand, any upstart, who has, by succession or management, got possession of a few acres of land or a miserable tenement, may exultingly exercise the functions of a citizen, although perhaps neither possesses a hundredth part of the worth or property of a simple mechanic, nor contributes in any proportion to the exigencies of the State.

The contempt in which the old government held mercantile pursuits, and the obloquy that attached on merchants and manufacturers, contributed not a little to its embarrassments, and its eventual subversion; and, strange to tell,

though the mischiefs arising from this mode of conduct are so obvious, yet an article is proposed for your adoption which has a manifest tendency to restore a defect inherent in the monarchy.

I shall now proceed to the second article of the same Title, with which I shall conclude my remarks.

The second article says, "Every French soldier, who shall have served one or more campaigns in the cause of liberty, is deemed a citizen of the republic, without any respect or reference to other qualifications." [1]

It would seem, that in this Article the Committee were desirous of extricating themselves from a dilemma into which they had been plunged by the preceding article. When men depart from an established principle they are compelled to resort to trick and subterfuge, always shifting their means to preserve the unity of their objects; and as it rarely happens that the first expedient makes amends for the prostitution of principle, they must call in aid a second, of a more flagrant nature, to supply the deficiency of the former. In this manner legislators go on accumulating error upon error, and artifice upon artifice, until the mass becomes so bulky and incongruous, and their embarrassment so desperate, that they are compelled, as their last expedient, to resort to the very principle they had violated. The Committee were precisely in this predicament when they framed this article; and to me, I confess, their conduct appears specious rather than efficacious.[2]

It was not for himself alone, but for his family, that the French citizen, at the dawn of the revolution, (for then indeed every man was considered a citizen) marched soldier-like to the frontiers, and repelled a foreign invasion. He had it not in his contemplation, that he should enjoy liberty for the residue of his earthly career, and by his own act

[1] This article eventually stood: "All Frenchmen who shall have made one or more campaigns for the establishment of the Republic, are citizens, without condition as to taxes."—*Editor.*

[2] The head of the Committee (eleven) was the Abbé Siéyes, whose political treachery was well known to Paine before it became known to the world by his services to Napoleon in overthrowing the Republic.—*Editor.*

preclude his offspring from that inestimable blessing. No! He wished to leave it as an inheritance to his children, and that they might hand it down to their latest posterity. If a Frenchman, who united in his person the character of a Soldier and a Citizen, was now to return from the army to his peaceful habitation, he must address his small family in this manner: "Sorry I am, that I cannot leave to you a small portion of what I have acquired by exposing my person to the ferocity of our enemies and defeating their machinations. I have established the republic, and, painful the reflection, all the laurels which I have won in the field are blasted, and all the privileges to which my exertions have entitled me extend not beyond the period of my own existence!" Thus the measure that has been adopted by way of subterfuge falls short of what the framers of it speculated upon; for in conciliating the affections of the *Soldier*, they have subjected the *Father* to the most pungent sensations, by obliging him to adopt a generation of Slaves.

Citizens, a great deal has been urged respecting insurrections. I am confident that no man has a greater abhorrence of them than myself, and I am sorry that any insinuations should have been thrown out upon me as a promoter of violence of any kind. The whole tenor of my life and conversation gives the lie to those calumnies, and proves me to be a friend to order, truth and justice.

I hope you will attribute this effusion of my sentiments to my anxiety for the honor and success of the revolution. I have no interest distinct from that which has a tendency to meliorate the situation of mankind. The revolution, as far as it respects myself, has been productive of more loss and persecution than it is possible for me to describe, or for you to indemnify. But with respect to the subject under consideration, I could not refrain from declaring my sentiments.

In my opinion, if you subvert the basis of the revolution, if you dispense with principles, and substitute expedients, you will extinguish that enthusiasm and energy which have hitherto been the life and soul of the revolution; and you

will substitute in its place nothing but a cold indifference and self-interest, which will again degenerate into intrigue, cunning, and effeminacy.

But to discard all considerations of a personal and subordinate nature, it is essential to the well-being of the republic that the practical or organic part of the constitution should correspond with its principles; and as this does not appear to be the case in the plan that has been presented to you, it is absolutely necessary that it should be submitted to the revision of a committee, who should be instructed to compare it with the Declaration of Rights, in order to ascertain the difference between the two, and to make such alterations as shall render them perfectly consistent and compatible with each other.

XXVI.

THE DECLINE AND FALL OF THE ENGLISH SYSTEM OF FINANCE.[1]

"On the verge, nay even in the gulph of bankruptcy."
Debates in Parliament.

NOTHING, they say, is more certain than death, and nothing more uncertain than the time of dying; yet we can always fix a period beyond which man cannot live, and within some moment of which he will die. We are enabled to do this, not by any spirit of prophecy, or foresight into the event, but by observation of what has happened in all cases of human or animal existence. If then any other subject, such, for instance, as a system of finance, exhibits in its progress a series of symptoms indicating decay, its final dissolution is certain, and the period of it can be calculated from the symptoms it exhibits.

Those who have hitherto written on the English system of finance, (the funding system,) have been uniformly impressed with the idea that its downfall would happen *some time or other*. They took, however, no data for their opinion, but

[1] This pamphlet, as Paine predicts at its close (no doubt on good grounds), was translated into all languages of Europe, and probably hastened the gold suspension of the Bank of England (1797), which it predicted. The British Government entrusted its reply to Ralph Broome and George Chalmers, who wrote pamphlets. There is in the French Archives an order for 1000 copies, April 27, 1796, nineteen days after Paine's pamphlet appeared. "Mr. Cobbett has made this little pamphlet a text-book for most of his elaborate treatises on our finances. . . . On the authority of a late *Register* of Mr. Cobbett's I learn that the profits arising from the sale of this pamphlet were devoted [by Paine] to the relief of the prisoners confined in Newgate for debt."—"Life of Paine," by Richard Carlile, 1819.—*Editor*.

expressed it predictively, or merely as opinion, from a conviction that the perpetual duration of such a system was a natural impossibility. It is in this manner that Dr. Price has spoken of it; and Smith, in his Wealth of Nations, has spoken in the same manner; that is, merely as opinion without data. "The progress," says Smith, "of the enormous debts, which at present oppress, and will in the long run *most probably ruin*, all the great nations of Europe [he should have said *governments*] has been pretty uniform." But this general manner of speaking, though it might make some impression, carried with it no conviction.

It is not my intention to predict any thing; but I will show from data already known, from symptoms and facts which the English funding system has already exhibited publicly, that it will not continue to the end of Mr. Pitt's life, supposing him to live the usual age of a man. How much sooner it may fall, I leave to others to predict.

Let financiers diversify systems of credit as they will, it is nevertheless true, that every system of credit is a system of paper money. Two experiments have already been had upon paper money; the one in America, the other in France. In both those cases the whole capital was emitted, and that whole capital, which in America was called continental money, and in France assignats, appeared in circulation; the consequence of which was, that the quantity became so enormous, and so disproportioned to the quantity of population, and to the quantity of objects upon which it could be employed, that the market, if I may so express it, was glutted with it, and the value of it fell. Between five and six years determined the fate of those experiments. The same fate would have happened to gold and silver, could gold and silver have been issued in the same abundant manner that paper had been, and confined within the country as paper money always is, by having no circulation out of it; or, to speak on a larger scale, the same thing would happen in the world, could the world be glutted with gold and silver, as America and France have been with paper.

The English system differs from that of America and

France in this one particular, that its capital is kept out of sight; that is, it does not appear in circulation. Were the whole capital of the national debt, which at the time I write this is almost one hundred million pounds sterling, to be emitted in assignats or bills, and that whole quantity put into circulation, as was done in America and in France, those English assignats, or bills, would soon sink in value as those of America and France have done; and that in a greater degree, because the quantity of them would be more disproportioned to the quantity of population in England, than was the case in either of the other two countries. A nominal pound sterling in such bills would not be worth one penny.

But though the English system, by thus keeping the capital out of sight, is preserved from hasty destruction, as in the case of America and France, it nevertheless approaches the same fate, and will arrive at it with the same certainty, though by a slower progress. The difference is altogether in the degree of speed by which the two systems approach their fate, which, to speak in round numbers, is as twenty is to one; that is, the English system, that of funding the capital instead of issuing it, contained within itself a capacity of enduring twenty times longer than the systems adopted by America and France; and at the end of that time it would arrive at the same common grave, the Potter's Field of paper money.

The datum, I take for this proportion of twenty to one, is the difference between a capital and the interest at five per cent. Twenty times the interest is equal to the capital. The accumulation of paper money in England is in proportion to the accumulation of the interest upon every new loan; and therefore the progress to the dissolution is twenty times slower than if the capital were to be emitted and put into circulation immediately. Every twenty years in the English system is equal to one year in the French and American systems.

Having thus stated the duration of the two systems, that of funding upon interest, and that of emitting the whole

capital without funding, to be as twenty to one, I come to examine the symptoms of decay, approaching to dissolution, that the English system has already exhibited, and to compare them with similar systems in the French and American systems.

The English funding system began one hundred years ago; in which time there have been six wars, including the war that ended in 1697.

1. The war that ended, as I have just said, in 1697.
2. The war that began in 1702.
3. The war that began in 1739.
4. The war that began in 1756.
5. The American war, that began in 1775.
6. The present war, that began in 1793.

The national debt, at the conclusion of the war which ended in 1697, was twenty-one millions and an half. (See Smith's Wealth of Nations, chapter on Public Debts.) We now see it approaching fast to four hundred millions. If between these two extremes of twenty-one millions and four hundred millions, embracing the several expenses of all the including wars, there exist some common ratio that will ascertain arithmetically the amount of the debts at the end of each war, as certainly as the fact is known to be, that ratio will in like manner determine what the amount of the debt will be in all future wars, and will ascertain the period within which the funding system will expire in a bankruptcy of the government; for the ratio I allude to, is the ratio which the nature of the thing has established for itself.

Hitherto no idea has been entertained that any such ratio existed, or could exist, that would determine a problem of this kind; that is, that would ascertain, without having any knowledge of the fact, what the expense of any former war had been, or what the expense of any future war would be; but it is nevertheless true that such a ratio does exist, as I shall show, and also the mode of applying it.

The ratio I allude to is not in arithmetical progression like the numbers 2, 3, 4, 5, 6, 7, 8, 9; nor yet in geometrical progression, like the numbers 2, 4, 8, 16, 32, 64, 128, 256;

but it is in the series of one half upon each preceding number; like the numbers 8, 12, 18, 27, 40, 60, 90, 135.

Any person can perceive that the second number, 12, is produced by the preceding number, 8, and half 8; and that the third number, 18, is in like manner produced by the preceding number, 12, and half 12; and so on for the rest. They can also see how rapidly the sums increase as the ratio proceeds. The difference between the two first numbers is but four; but the difference between the two last is forty-five; and from thence they may see with what immense rapidity the national debt has increased, and will continue to increase, till it exceeds the ordinary powers of calculation, and loses itself in ciphers.

I come now to apply the ratio as a rule to determine in all cases.

I began with the war that ended in 1697, which was the war in which the funding system began. The expense of that war was twenty-one millions and an half. In order to ascertain the expense of the next war, I add to twenty-one millions and an half, the half thereof (ten millions and three quarters) which makes thirty-two millions and a quarter for the expense of that war. This thirty-two millions and a quarter, added to the former debt of twenty-one millions and an half, carries the national debt to fifty-three millions and three quarters. Smith, in his chapter on Public Debts, says, that the national debt was at this time fifty-three millions.

I proceed to ascertain the expense of the next war, that of 1739, by adding, as in the former case, one half to the expense of the preceding war. The expense of the preceding war was thirty-two millions and a quarter; for the sake of even numbers, say, thirty-two millions; the half of which (16) makes forty-eight millions for the expense of that war.

I proceed to ascertain the expense of the war of 1756, by adding, according to the ratio, one half to the expense of the preceding war. The expense of the preceding was taken at 48 millions, the half of which (24) makes 72 millions for the expense of that war. Smith, (chapter on Public Debts,)

says, the expense of the war of 1756, was 72 millions and a quarter.

I proceed to ascertain the expense of the American war, of 1775, by adding, as in the former cases, one half to the expense of the preceding war. The expense of the preceding war was 72 millions, the half of which (36) makes 108 millions for the expense of that war. In the last edition of Smith, (chapter on Public Debts,) he says, the expense of the American war was *more than an hundred millions.*

I come now to ascertain the expense of the present war, supposing it to continue as long as former wars have done, and the funding system not to break up before that period. The expense of the preceding war was 108 millions, the half of which (54) makes 162 millions for the expense of the present war. It gives symptoms of going beyond this sum, supposing the funding system not to break up; for the loans of the last year and of the present year are twenty-two millions each, which exceeds the ratio compared with the loans of the preceding war. It will not be from the inability of procuring loans that the system will break up. On the contrary, it is the facility with which loans can be procured that hastens that event. The loans are altogether paper transactions; and it is the excess of them that brings on, with accelerating speed, that progressive depreciation of funded paper money that will dissolve the funding system.

I proceed to ascertain the expense of future wars, and I do this merely to show the impossibility of the continuance of the funding system, and the certainty of its dissolution.

The expense of the next war after the present war, according to the ratio that has ascertained the preceding cases, will be

	243 millions.
Expense of the second war	364
——— third war	546
——— fourth war	819
——— fifth war	1228
	£3200 millions;

which, at only four per cent. will require taxes to the nominal amount of one hundred and twenty-eight millions to pay the annual interest, besides the interest of the present debt, and the expenses of government, which are not included in this account. Is there a man so mad, so stupid, as to suppose this system can continue?

When I first conceived the idea of seeking for some common ratio that should apply as a rule of measurement to all the cases of the funding system, so far as to ascertain the several stages of its approach to dissolution, I had no expectation that any ratio could be found that would apply with so much exactness as this does. I was led to the idea merely by observing that the funding system was a thing in continual progression, and that whatever was in a state of progression might be supposed to admit of, at least, some general ratio of measurement, that would apply without any very great variation. But who could have supposed that falling systems, or falling opinions, admitted of a ratio apparently as true as the descent of falling bodies? I have not *made* the ratio any more than Newton made the ratio of gravitation. I have only discovered it, and explained the mode of applying it.

To shew at one view the rapid progression of the funding system to destruction, and to expose the folly of those who blindly believe in its continuance, and who artfully endeavour to impose that belief upon others, I exhibit in the annexed table, the expense of each of the six wars since the funding system began, as ascertained by ratio, and the expense of the six wars yet to come, ascertained by the same ratio.

FIRST SIX WARS.		SECOND SIX WARS.	
1 . . .	21 millions	1 . . .	243 millions
2 . . .	33 "	2 . . .	364 "
3 . . .	48 "	3 . . .	546 "
4 . . .	72 "*	4 . . .	819 "
5 . . .	108 "	5 . . .	1228 "
6 . . .	162 "	6 . . .	1842 "
Total	£444 "	Total	£5042 "

* The actual expense of the war of 1739 did not come up to the sum ascertained by the ratio. But as that which is the natural disposition of a thing, as

Those who are acquainted with the power with which even a small ratio, acting in progression, multiplies in a long series, will see nothing to wonder at in this table. Those who are not acquainted with that subject, and not knowing what else to say, may be inclined to deny it. But it is not their opinion one way, nor mine the other, that can influence the event. The table exhibits the natural march of the funding system to its irredeemable dissolution. Supposing the present government of England to continue, and to go on as it has gone on since the funding system began, I would not give twenty shillings for one hundred pounds in the funds to be paid twenty years hence. I do not speak this predictively; I produce the data upon which that belief is founded; and which data it is every body's interest to know, who have any thing to do with the funds, or who are going to bequeath property to their descendants to be paid at a future day.

Perhaps it may be asked, that as governments or ministers proceeded by no ratio in making loans or incurring debts, and nobody intended any ratio, or thought of any, how does it happen that there is one? I answer, that the ratio is founded in necessity; and I now go to explain what that necessity is.

It will always happen, that the price of labour, or of the produce of labour, be that produce what it may, will be in proportion to the quantity of money in a country, admitting things to take their natural course. Before the invention of the funding system, there was no other money than gold and

it is the natural disposition of a stream of water to descend, will, if impeded in its course, overcome by a new effort what it had lost by that impediment, so it was with respect to this war and the next (1756) taken collectively; for the expense of the war of 1756 restored the equilibrium of the ratio, as fully as if it had not been impeded. A circumstance that serves to prove the truth of the ratio more fully than if the interruption had not taken place. The war of 1739 was languid; the efforts were below the value of money at that time; for the ratio is the measure of the depreciation of money in consequence of the funding system; or what comes to the same end, it is the measure of the increase of paper. Every additional quantity of it, whether in bank notes or otherwise, diminishes the *real*, though not the *nominal* value of the former quantity.—*Author*.

silver; and as nature gives out those metals with a sparing hand, and in regular annual quantities from the mines, the several prices of things were proportioned to the quantity of money at that time, and so nearly stationary as to vary but little in any fifty or sixty years of that period.

When the funding system began, a substitute for gold and silver began also. That substitute was paper; and the quantity increased as the quantity of interest increased upon accumulated loans. This appearance of a new and additional species of money in the nation soon began to break the relative value which money and the things it will purchase bore to each other before. Every thing rose in price; but the rise at first was little and slow, like the difference in units between two first numbers, 8 and 12, compared with the two last numbers 90 and 135, in the table. It was however sufficient to make itself considerably felt in a large transaction. When therefore government, by engaging in a new war, required a new loan, it was obliged to make a higher loan than the former loan, to balance the increased price to which things had risen; and as that new loan increased the quantity of paper in proportion to the new quantity of interest, it carried the price of things still higher than before. The next loan was again higher, to balance that further increased price; and all this in the same manner, though not in the same degree, that every new emission of continental money in America, or of assignats in France, was greater than the preceding emission, to make head against the advance of prices, till the combat could be maintained no longer. Herein is founded the necessity of which I have just spoken. That necessity proceeds with accelerating velocity, and the ratio I have laid down is the measure of that acceleration; or, to speak the technical language of the subject, it is the measure of the increasing depreciation of funded paper money, which it is impossible to prevent while the quantity of that money and of bank notes continues to multiply. What else but this can account for the difference between one war costing 21 millions, and another war costing 160 millions?

The difference cannot be accounted for on the score of extraordinary efforts or extraordinary achievements. The war that cost twenty-one millions was the war of the confederates, historically called the grand alliance, consisting of England, Austria, and Holland in the time of William III. against Louis XIV. and in which the confederates were victorious. The present is a war of a much greater confederacy —a confederacy of England, Austria, Prussia, the German Empire, Spain, Holland, Naples, and Sardinia, eight powers, against the French Republic singly, and the Republic has beaten the whole confederacy.—But to return to my subject.

It is said in England, that the value of paper keeps equal with the value of gold and silver. But the case is not rightly stated; for the fact is, that the paper has *pulled down* the value of gold and silver to a level with itself. Gold and silver will not purchase so much of any purchasable article at this day as if no paper had appeared, nor so much as it will in any country in Europe where there is no paper. How long this hanging together of money and paper will continue, makes a new case; because it daily exposes the system to sudden death, independent of the natural death it would otherwise suffer.

I consider the funding system as being now advanced into the last twenty years of its existence. The single circumstance, were there no other, that a war should now cost *nominally* one hundred and sixty millions, which when the system began cost but twenty-one millions, or that the loan for one year only (including the loan to the Emperor) should now be *nominally* greater than the whole expense of that war, shows the state of depreciation to which the funding system has arrived. Its depreciation is in the proportion of eight for one, compared with the value of its money when the system began; which is the state the French assignats stood a year ago (March 1795) compared with gold and silver. It is therefore that I say, that the English funding system has entered on the last twenty years of its existence, comparing each twenty years of the English system with

every single year of the American and French systems, as before stated.

Again, supposing the present war to close as former wars have done, and without producing either revolution or reform in England, another war at least must be looked for in the space of the twenty years I allude to; for it has never yet happened that twenty years have passed off without a war, and that more especially since the English government has dabbled in German politics, and shown a disposition to insult the world, and the world of commerce, with her navy. The next war will carry the national debt to very nearly seven hundred millions, the interest of which, at four per cent. will be twenty-eight millions besides the taxes for the (then) expenses of government, which will increase in the same proportion, and which will carry the taxes to at least forty millions; and if another war only begins, it will quickly carry them to above fifty; for it is in the last twenty years of the funding system, as in the last year of the American and French systems without funding, that all the great shocks begin to operate.

I have just mentioned that, paper in England has *pulled down* the value of gold and silver to a level with itself; and that this *pulling down* of gold and silver money has created the appearance of paper money keeping up. The same thing, and the same mistake, took place in America and in France, and continued for a considerable time after the commencement of their system of paper; and the actual depreciation of money was hidden under that mistake.

It was said in America, at that time, that everything was becoming *dear;* but gold and silver could then buy those dear articles no cheaper than paper could; and therefore it was not called depreciation. The idea of *dearness* established itself for the idea of depreciation. The same was the case in France. Though every thing rose in price soon after assignats appeared, yet those dear articles could be purchased no cheaper with gold and silver, than with paper, and it was only said that things were *dear*. The same is still the language in England. They call it *deariness*. But they will

soon find that it is an actual depreciation, and that this depreciation is the effect of the funding system; which, by crowding such a continually increasing mass of paper into circulation, carries down the value of gold and silver with it. But gold and silver, will, in the long run, revolt against depreciation, and separate from the value of paper; for the progress of all such systems appears to be, that the paper will take the command in the beginning, and gold and silver in the end.

But this succession in the command of gold and silver over paper, makes a crisis far more eventful to the funding system than to any other system upon which paper can be issued; for, strictly speaking, it is not a crisis of danger but a symptom of death. It is a death-stroke to the funding system. It is a revolution in the whole of its affairs.

If paper be issued without being funded upon interest, emissions of it can be continued after the value of it separates from gold and silver, as we have seen in the two cases of America and France. But the funding system rests altogether upon the value of paper being equal to gold and silver; which will be as long as the paper can continue carrying down the value of gold and silver to the same level to which itself descends, and no longer. But even in this state, that of descending equally together, the minister, whoever he may be, will find himself beset with accumulating difficulties; because the loans and taxes voted for the service of each ensuing year will wither in his hands before the year expires, or before they can be applied. This will force him to have recourse to emissions of what are called exchequer and navy bills, which, by still increasing the mass of paper in circulation, will drive on the depreciation still more rapidly.

It ought to be known that taxes in England are not paid in gold and silver, but in paper (bank notes). Every person who pays any considerable quantity of taxes, such as maltsters, brewers, distillers, (I appeal for the truth of it, to any of the collectors of excise in England, or to Mr. Whitebread,)[1] knows this to be the case. There is not gold and

[1] An eminent Member of Parliament.—*Editor.*

silver enough in the nation to pay the taxes in coin, as I shall show; and consequently there is not money enough in the bank to pay the notes. The interest of the national funded debt is paid at the bank in the same kind of paper in which the taxes are collected. When people find, as they will find, a reservedness among each other in giving gold and silver for bank notes, or the least preference for the former over the latter, they will go for payment to the bank, where they have a right to go. They will do this as a measure of prudence, each one for himself, and the truth or delusion of the funding system will then be proved.

I have said in the foregoing paragraph that there is not gold and silver enough in the nation to pay the taxes in coin, and consequently that there cannot be enough in the bank to pay the notes. As I do not choose to rest anything upon assertion, I appeal for the truth of this to the publications of Mr. Eden (now called Lord Auckland) and George Chalmers, Secretary to the Board of Trade and Plantation, of which Jenkinson (now Lord Hawkesbury) is president.[1] (These sort of folks change their names so often that it is as difficult to know them as it is to know a thief.) Chalmers gives the quantity of gold and silver coin from the returns of coinage at the Mint; and after deducting for the light gold recoined, says that the amount of gold and silver coined is *about twenty millions.* He had better not have proved this, especially if he had reflected that *public credit is suspicion asleep.* The quantity is much too little.

Of this twenty millions (which is not a fourth part of the quantity of gold and silver there is in France, as is shown in Mr. Neckar's Treatise on the Administration of the Finances) three millions at least must be supposed to be in Ireland, some in Scotland, and in the West Indies, Newfoundland, &c. The quantity therefore in England cannot be more than sixteen millions, which is four millions less than the amount of the taxes. But admitting that there are sixteen millions, not more than a fourth part thereof (four

[1] Concerning Chalmers and Hawkesbury see vol. ii., p. 522. Also, preface to my "Life of Paine," xvi., and other passages.—*Editor.*

millions) can be in London, when it is considered that every city, town, village, and farm-house in the nation must have a part of it, and that all the great manufactories, which most require cash, are out of London. Of this four millions in London, every banker, merchant, tradesman, in short every individual, must have some. He must be a poor shopkeeper indeed, who has not a few guineas in his till. The quantity of cash therefore in the bank can never, on the evidence of circumstances, be so much as two millions ; most probably not more than one million ; and on this slender twig, always liable to be broken, hangs the whole funding system of four hundred millions, besides many millions in bank notes. The sum in the bank is not sufficient to pay one-fourth of only one year's interest of the national debt, were the creditors to demand payment in cash, or demand cash for the bank notes in which the interest is paid, a circumstance always liable to happen.

One of the amusements that has kept up the farce of the funding system is, that the interest is regularly paid. But as the interest is always paid in bank notes, and as bank notes can always be coined for the purpose, this mode of payment proves nothing. The point of proof is, can the bank give cash for the bank notes with which the interest is paid? If it cannot, and it is evident it cannot, some millions of bank notes must go without payment, and those holders of bank notes who apply last will be worst off. When the present quantity of cash in the bank is paid away, it is next to impossible to see how any new quantity is to arrive. None will arrive from taxes, for the taxes will all be paid in bank notes ; and should the government refuse bank notes in payment of taxes, the credit of bank notes will be gone at once. No cash will arise from the business of discounting merchants' bills ; for every merchant will pay off those bills in bank notes, and not in cash. There is therefore no means left for the bank to obtain a new supply of cash, after the present quantity is paid away. But besides the impossibility of paying the interest of the funded debt in cash, there are many thousand persons, in London and in

the country, who are holders of bank notes that came into their hands in the fair way of trade, and who are not stockholders in the funds; and as such persons have had no hand in increasing the demand upon the bank, as those have had who for their own private interest, like Boyd and others, are contracting or pretending to contract for new loans, they will conceive they have a just right that their bank notes should be paid first. Boyd has been very sly in France, in changing his paper into cash. He will be just as sly in doing the same thing in London, for he has learned to calculate; and then it is probable he will set off for America.

A stoppage of payment at the bank is not a new thing. Smith in his Wealth of Nations, book ii. chap. 2. says, that in the year 1696, exchequer bills fell forty, fifty, and sixty per cent; bank notes twenty per cent; and the bank stopped payment. That which happened in 1696 may happen again in 1796. The period in which it happened was the last year of the war of King William. It necessarily put a stop to the further emissions of exchequer and navy bills, and to the raising of new loans; and the peace which took place the next year was probably hurried on by this circumstance, and saved the bank from bankruptcy. Smith in speaking from the circumstances of the bank, upon another occasion, says (book ii. chap. 2.) "This great company had been reduced to the necessity of paying in sixpences." When a bank adopts the expedient of paying in sixpences, it is a confession of insolvency.

It is worthy of observation, that every case of failure in finances, since the system of paper began, has produced a revolution in governments, either total or partial. A failure in the finances of France produced the French revolution. A failure in the finance of the assignats broke up the revolutionary government, and produced the present French Constitution. A failure in the finances of the Old Congress of America, and the embarrassments it brought upon commerce, broke up the system of the old confederation, and produced the federal Constitution. If, then, we admit of reasoning by comparison of causes and events, the failure of the English

finances will produce some change in the government of that country.

As to Mr. Pitt's project of paying off the national debt by applying a million a-year for that purpose, while he continues adding more than twenty millions a-year to it, it is like setting a man with a wooden leg to run after a hare. The longer he runs the farther he is off.

When I said that the funding system had entered the last twenty years of its existence, I certainly did not mean that it would continue twenty years, and then expire as a lease would do. I meant to describe that age of decrepitude in which death is every day to be expected, and life cannot continue long. But the death of credit, or that state that is called bankruptcy, is not always marked by those progressive stages of visible decline that marked the decline of natural life. In the progression of natural life age cannot counterfeit youth, nor conceal the departure of juvenile abilities. But it is otherwise with respect to the death of credit; for though all the approaches to bankruptcy may actually exist in circumstances, they admit of being concealed by appearances. Nothing is more common than to see the bankrupt of to-day a man in credit but the day before; yet no sooner is the real state of his affairs known, than every body can see he had been insolvent long before. In London, the greatest theatre of bankruptcy in Europe, this part of the subject will be well and feelingly understood.

Mr. Pitt continually talks of credit, and the national resources. These are two of the feigned appearances by which the approaches to bankruptcy are concealed. That which he calls credit may exist, as I have just shown, in a state of insolvency, and is always what I have before described it to be, *suspicion asleep*.

As to national resources, Mr. Pitt, like all English financiers that preceded him since the funding system began, has uniformly mistaken the nature of a resource; that is, they have mistaken it consistently with the delusion of the funding system; but time is explaining the delusion. That which he calls, and which they call, a resource, is not a re-

source, but is the *anticipation* of a resource. They have anticipated what *would have been* a resource in another generation, had not the use of it been so anticipated. The funding system is a system of anticipation. Those who established it an hundred years ago anticipated the resources of those who were to live an hundred years after; for the people of the present day have to pay the interest of the debts contracted at that time, and all debts contracted since. But it is the last feather that breaks the horse's back. Had the system begun an hundred years before, the amount of taxes at this time to pay the annual interest at four per cent. (could we suppose such a system of insanity could have continued) would be two hundred and twenty millions annually: for the capital of the debt would be 5486 millions, according to the ratio that ascertains the expense of the wars for the hundred years that are past. But long before it could have reached this period, the value of bank notes, from the immense quantity of them, (for it is in paper only that such a nominal revenue could be collected,) would have been as low or lower than continental paper has been in America, or assignats in France; and as to the idea of exchanging them for gold and silver, it is too absurd to be contradicted.

Do we not see that nature, in all her operations, disowns the visionary basis upon which the funding system is built? She acts always by renewed successions, and never by accumulating additions perpetually progressing. Animals and vegetables, men and trees, have existed since the world began: but that existence has been carried on by succession of generations, and not by continuing the same men and the same trees in existence that existed first; and to make room for the new she removes the old. Every natural idiot can see this; it is the stock-jobbing idiot only that mistakes. He has conceived that art can do what nature cannot. He is teaching her a new system—that there is no occasion for man to die—that the scheme of creation can be carried on upon the plan of the funding system—that it can proceed by continual additions of new beings, like new loans, and all live together in eternal youth. Go, count the graves, thou idiot, and learn the folly of thy arithmetic!

But besides these things, there is something visibly farcical in the whole operation of loaning. It is scarcely more than four years ago that such a rot of bankruptcy spread itself over London, that the whole commercial fabric tottered; trade and credit were at a stand; and such was the state of things that, to prevent or suspend a general bankruptcy, the government lent the merchants six millions in *government* paper, and now the merchants lend the government twenty-two millions in *their* paper; and two parties, Boyd and Morgan, men but little known, contend who shall be the lenders. What a farce is this! It reduces the operation of loaning to accommodation paper, in which the competitors contend, not who shall lend, but who shall sign, because there is something to be got for signing.

Every English stock-jobber and minister boasts of the credit of England. Its credit, say they, is greater than that of any country in Europe. There is a good reason for this: for there is not another country in Europe that could be made the dupe of such a delusion. The English funding system will remain a monument of wonder, not so much on account of the extent to which it has been carried, as of the folly of believing in it.

Those who had formerly predicted that the funding system would break up when the debt should amount to one hundred or one hundred and fifty millions, erred only in not distinguishing between insolvency and actual bankruptcy; for the insolvency commenced as soon as the government became unable to pay the interest in cash, or to give cash for the bank notes in which the interest was paid, whether that inability was known or not, or whether it was suspected or not. Insolvency always takes place before bankruptcy; for bankruptcy is nothing more than the publication of that insolvency. In the affairs of an individual, it often happens that insolvency exists several years before bankruptcy, and that the insolvency is concealed and carried on till the individual is not able to pay one shilling in the pound. A government can ward off bankruptcy longer than an individual: but insolvency will inevitably produce bankruptcy, whether in an individual or in a government. If then the

quantity of bank notes payable on demand, which the bank has issued, are greater than the bank can pay off, the bank is insolvent: and when that insolvency is declared, it is bankruptcy.*

I come now to show the several ways by which bank notes get into circulation: I shall afterwards offer an estimate on the total quantity or amount of bank notes existing at this moment.

The bank acts in three capacities. As a bank of discount; as a bank of deposit; and as a banker for the government.

First, as a bank of discount. The bank discounts merchants' bills of exchange for two months. When a merchant

*Among the delusions that have been imposed upon the nation by ministers to give a false colouring to its affairs, and by none more than by Mr. Pitt, is a motley, amphibious-charactered thing called the *balance of trade*. This balance of trade, as it is called, is taken from the custom-house books, in which entries are made of all cargoes exported, and also of all cargoes imported, in each year; and when the value of the exports, according to the price set upon them by the exporter or by the custom-house, is greater than the value of the imports, estimated in the same manner, they say the balance of trade is much in their favour.

The custom-house books prove regularly enough that so many cargoes have been exported, and so many imported; but this is all that they prove, or were intended to prove. They have nothing to do with the balance of profit or loss; and it is ignorance to appeal to them upon that account: for the case is, that the greater the loss is in any one year, the higher will this thing called the balance of trade appear to be according to the custom-house books. For example, nearly the whole of the Mediterranean convoy has been taken by the French this year; consequently those cargoes will not appear as imports on the custom-house books, and therefore the balance of trade, by which they mean the profits of it, will appear to be so much the greater as the loss amounts to; and, on the other hand, had the loss not happened, the profits would have appeared to have been so much the less. All the losses happening at sea to returning cargoes, by accidents, by the elements, or by capture, make the balance appear the higher on the side of the exports; and were they all lost at sea, it would appear to be all profit on the custom-house books. Also every cargo of exports that is lost that occasions another to be sent, adds in like manner to the side of the exports, and appears as profit. This year the balance of trade will appear high, because the losses have been great by capture and by storms. The ignorance of the British Parliament in listening to this hackneyed imposition of ministers about the balance of trade is astonishing. It shows how little they know of national affairs—and Mr. Grey may as well talk Greek to them, as to make motions about the state of the nation. They understand only fox-hunting and the game laws.—*Author.*

has a bill that will become due at the end of two months, and wants payment before that time, the bank advances that payment to him, deducting therefrom at the rate of five per cent. per annum. The bill of exchange remains at the bank as a pledge or pawn, and at the end of two months it must be redeemed. This transaction is done altogether in paper; for the profits of the bank, as a bank of discount, arise entirely from its making use of paper as money. The bank gives bank notes to the merchant in discounting the bill of exchange, and the redeemer of the bill pays bank notes to the bank in redeeming it. It very seldom happens that any real money passes between them.

If the profits of a bank be, for example, two hundred thousand pounds a year (a great sum to be made merely by exchanging one sort of paper for another, and which shows also that the merchants of that place are pressed for money for payments, instead of having money to spare to lend to government,) it proves that the bank discounts to the amount of four millions annually, or 666,666*l.* every two months; and as there never remain in the bank more than two months' pledges, of the value of 666,666*l.*, at any one time, the amount of bank notes in circulation at any one time should not be more than to that amount. This is sufficient to show that the present immense quantity of bank notes, which are distributed through every city, town, village, and farm-house in England, cannot be accounted for on the score of discounting.

Secondly, as a bank of deposit. To deposit money at the bank means to lodge it there for the sake of convenience, and to be drawn out at any moment the depositor pleases, or to be paid away to his order. When the business of discounting is great, that of depositing is necessarily small. No man deposits and applies for discounts at the same time; for it would be like paying interest for lending money, instead of for borrowing it. The deposits that are now made at the bank are almost entirely in bank notes, and consequently they add nothing to the ability of the bank to pay off the bank notes that may be presented for payment; and

besides this, the deposits are no more the property of the bank than the cash or bank notes in a merchant's counting-house are the property of his book-keeper. No great increase therefore of bank notes, beyond what the discounting business admits, can be accounted for on the score of deposits.

Thirdly, the bank acts as banker for the government. This is the connection that threatens to ruin every public bank. It is through this connection that the credit of a bank is forced far beyond what it ought to be, and still further beyond its ability to pay. It is through this connection, that such an immense redundant quantity of bank notes have gotten into circulation; and which, instead of being issued because there was property in the bank, have been issued because there was none.

When the treasury is empty, which happens in almost every year of every war, its coffers at the bank are empty also. It is in this condition of emptiness that the minister has recourse to emissions of what are called exchequer and navy bills, which continually generates a new increase of bank notes, and which are sported upon the public, without there being property in the bank to pay them. These exchequer and navy bills (being, as I have said, emitted because the treasury and its coffers at the bank are empty, and cannot pay the demands that come in) are no other than an acknowledgment that the bearer is entitled to receive so much money. They may be compared to the settlement of an account, in which the debtor acknowledges the balance he owes, and for which he gives a note of hand; or to a note of hand given to raise money upon it.

Sometimes the bank discounts those bills as it would discount merchants' bills of exchange; sometimes it purchases them of the holders at the current price; and sometimes it agrees with the ministers to pay an interest upon them to the holders, and keep them in circulation. In every one of these cases an additional quantity of bank notes gets into circulation, and are sported, as I have said, upon the public, without there being property in the bank, as banker for the

government, to pay them; and besides this, the bank has now no money of its own; for the money that was originally subscribed to begin the credit of the bank with, at its first establishment, has been lent to government and wasted long ago.

"The bank" (says Smith, book ii. chap. 2.) "acts not only as an ordinary bank, but as a great engine of State; it receives and pays a greater part of the annuities which are due to the creditors of the *public*." (It is worth observing, that the *public*, or the *nation*, is always put for the government, in speaking of debts.) "It circulates" (says Smith) "exchequer bills, and it advances to government the annual amount of the land and malt taxes, which are frequently not paid till several years afterwards." (This advancement is also done in bank notes, for which there is not property in the bank.) "In those different operations" (says Smith) "*its duty to the public* may sometimes have obliged it, without any fault of its directors, *to overstock the circulation with paper money*."—bank notes. How its *duty* to the *public* can induce it *to overstock that public* with promissory bank notes which it *cannot pay*, and thereby expose the individuals of that public to ruin, is too paradoxical to be explained; for it is on the credit which individuals *give to the bank*, by receiving and circulating its notes, and not upon its *own* credit or its *own* property, for it has none, that the bank sports. If, however, it be the duty of the bank to expose the public to this hazard, it is at least equally the duty of the individuals of that public to get their money and take care of themselves; and leave it to placemen, pensioners, government contractors, Reeves' association, and the members of both houses of Parliament, who have voted away the money at the nod of the minister, to continue the credit if they can, and for which their estates individually and collectively ought to answer, as far as they will go.

There has always existed, and still exists, a mysterious, suspicious connection, between the minister and the directors of the bank, and which explains itself no otherways than by a continual increase in bank notes. Without,

therefore, entering into any further details of the various contrivances by which bank notes are issued, and thrown upon the public, I proceed, as I before mentioned, to offer an estimate on the total quantity of bank notes in circulation.

However disposed governments may be to wring money by taxes from the people, there is a limit to the practice established by the nature of things. That limit is the proportion between the quantity of money in a nation, be that quantity what it may, and the greatest quantity of taxes that can be raised upon it. People have other uses for money besides paying taxes; and it is only a proportional part of the money they can spare for taxes, as it is only a proportional part they can spare for house-rent, for clothing, or for any other particular use. These proportions find out and establish themselves; and that with such exactness, that if any one part exceeds its proportion, all the other parts feel it.

Before the invention of paper money (bank notes,) there was no other money in the nation than gold and silver, and the greatest quantity of money that was ever raised in taxes during that period never exceeded a fourth part of the quantity of money in the nation. It was high taxing when it came to this point. The taxes in the time of William III. never reached to four millions before the invention of paper, and the quantity of money in the nation at that time was estimated to be about sixteen millions. The same proportions established themselves in France. There was no paper money in France before the present revolution, and the taxes were collected in gold and silver money. The highest quantity of taxes never exceeded twenty-two millions sterling; and the quantity of gold and silver money in the nation at the same time, as stated by M. Neckar, from returns of coinage at the Mint, in his Treatise on the Administration of the Finances, was about ninety millions sterling. To go beyond this limit of a fourth part, in England, they were obliged to introduce paper money; and the attempt to go beyond it in France, where paper could not

be introduced, broke up the government. This proportion, therefore, of a fourth part, is the limit which the thing establishes for itself, be the quantity of money in a nation more or less.

The amount of taxes in England at this time is full twenty millions; and therefore the quantity of gold and silver, and of bank notes, taken together, amounts to eighty millions. The quantity of gold and silver, as stated by Lord Hawkesbury's Secretary, George Chalmers, as I have before shown, is twenty millions; and, therefore, the total amount of bank notes in circulation, all made payable on demand, is sixty millions. This enormous sum will astonish the most stupid stock-jobber, and overpower the credulity of the most thoughtless Englishman: but were it only a third part of that sum, the bank cannot pay half a crown in the pound.

There is something curious in the movements of this modern complicated machine, the funding system; and it is only now that it is beginning to unfold the full extent of its movements. In the first part of its movements it gives great powers into the hands of government, and in the last part it takes them completely away.

The funding system set out with raising revenues under the name of loans, by means of which government became both prodigal and powerful. The loaners assumed the name of creditors, and though it was soon discovered that loaning was government-jobbing, those pretended loaners, or the persons who purchased into the funds afterwards, conceived themselves not only to be creditors, but to be the *only* creditors.

But such has been the operation of this complicated machine, the funding system, that it has produced, unperceived, a second generation of creditors, more numerous and far more formidable and withal more real than the first generation; for every holder of a bank note is a creditor, and a real creditor, and the debt due to him is made payable on demand. The debt therefore which the government owes to individuals is composed of two parts; the one about four hundred millions bearing interest, the other about sixty mil-

lions payable on demand. The one is called the funded debt, the other is the debt due in bank notes.

The second debt (that contained in the bank notes) has, in a great measure, been incurred to pay the interest of the first debt; so that in fact little or no real interest has been paid by government. The whole has been delusion and fraud. Government first contracted a debt, in the form of loans, with one class of people, and then run clandestinely into debt with another class, by means of bank notes, to pay the interest. Government acted of itself in contracting the first debt, and made a machine of the bank to contract the second. It is this second debt that changes the seat of power and the order of things; for it puts it in the power of even a small part of the holders of bank notes (had they no other motives than disgust at Pitt and Grenville's sedition bills,) to control any measure of government they found to be injurious to their interest; and that not by popular meetings, or popular societies, but by the simple and easy operation of withholding their credit from that government; that is, by individually demanding payment at the bank for every bank note that comes into their hands. Why should Pitt and Grenville expect that the very men whom they insult and injure, should, at the same time, continue to support the measures of Pitt and Grenville, by giving credit to their promissory notes of payment? No new emissions of bank notes could go on while payment was demanding on the old, and the cash in the bank wasting daily away; nor any new advances be made to government, or to the emperor, to carry on the war; nor any new emission be made on exchequer bills.

"*The bank*," says Smith, (book ii. chap. 2) "*is a great engine of state.*" And in the same paragraph he says, "*The stability of the bank is equal to that of the British government;*" which is the same as to say that the stability of the government is equal to that of the bank, and no more. If then the bank cannot pay, the *arch-treasurer of the holy Roman empire* (S. R. I. A.*) is a bankrupt. When Folly invented titles, she did not attend to their application; for

* Part of the inscription on an English guinea.—*Author.*

ever since the government of England has been in the hands of *arch-treasurers*, it has been running into bankruptcy; and as to the arch-treasurer *apparent*, he has been a bankrupt long ago. What a miserable prospect has England before its eyes!

Before the war of 1755 there were no bank notes lower than twenty pounds. During that war, bank notes of fifteen pounds and of ten pounds were coined; and now, since the commencement of the present war, they are coined as low as five pounds. These five-pound notes will circulate chiefly among little shop-keepers, butchers, bakers, market-people, renters of small houses, lodgers, &c. All the high departments of commerce and the affluent stations of life were already *overstocked*, as Smith expresses it, with the bank notes. No place remained open wherein to crowd an additional quantity of bank notes but among the class of people I have just mentioned, and the means of doing this could be best effected by coining five-pound notes. This conduct has the appearance of that of an unprincipled insolvent, who, when on the verge of bankruptcy to the amount of many thousands, will borrow as low as five pounds of the servants in his house, and break the next day.

But whatever momentary relief or aid the minister and his bank might expect from this low contrivance of five-pound notes, it will increase the inability of the bank to pay the higher notes, and hasten the destruction of all; for even the small taxes that used to be paid in money will now be paid in those notes, and the bank will soon find itself with scarcely any other money than what the hair-powder guinea-tax brings in.

The bank notes make the most serious part of the business of finance: what is called the national funded debt is but a trifle when put in comparison with it; yet the case of the bank notes has never been touched upon. But it certainly ought to be known upon what authority, whether that of the minister or of the directors, and upon what foundation, such immense quantities are issued. I have stated the amount of them at sixty millions; I have produced data for that estimation; and besides this, the apparent quantity of

them, far beyond that of gold and silver in the nation, corroborates the statement. But were there but a third part of sixty millions, the bank cannot pay half a crown in the pound; for no new supply of money, as before said, can arrive at the bank, as all the taxes will be paid in paper.

When the funding system began, it was not doubted that the loans that had been borrowed would be repaid. Government not only propagated that belief, but it began paying them off. In time this profession came to be abandoned: and it is not difficult to see that bank notes will march the same way; for the amount of them is only another debt under another name; and the probability is that Mr. Pitt will at last propose funding them. In that case bank notes will not be so valuable as French assignats. The assignats have a solid property in reserve, in the national domains; bank notes have none; and, besides this, the English revenue must then sink down to what the amount of it was before the funding system began—between three and four millions; one of which the *arch-treasurer* would require for himself, and the arch-treasurer *apparent* would require three-quarters of a million more to pay his debts. "*In France*," says Sterne, "*they order these things better.*"

I have now exposed the English system of finance to the eyes of all nations; for this work will be published in all languages. In doing this, I have done an act of justice to those numerous citizens of neutral nations who have been imposed upon by that fraudulent system, and who have property at stake upon the event.

As an individual citizen of America, and as far as an individual can go, I have revenged (if I may use the expression without any immoral meaning) the piratical depredations committed on the American commerce by the English government. I have retaliated for France on the subject of finance: and I conclude with retorting on Mr. Pitt the expression he used against France, and say, that the English system of finance "IS ON THE VERGE, NAY EVEN IN THE GULPH OF BANKRUPTCY."

THOMAS PAINE.

PARIS, 19th Germinal, 4th year of the Republic, April 8, 1796.

XXVII.

FORGETFULNESS.[1]

FROM "THE CASTLE IN THE AIR," TO THE "LITTLE CORNER OF THE WORLD."

MEMORY, like a beauty that is always present to hear herself flattered, is flattered by every one. But the absent and silent goddess, Forgetfulness, has no votaries, and is never thought of: yet we owe her much. She is the goddess of ease, though not of pleasure.

When the mind is like a room hung with black, and every corner of it crowded with the most horrid images imagination can create, this kind speechless goddess of a maid, Forgetfulness, is following us night and day with her opium wand, and gently touching first one, and then another, benumbs them into rest, and at last glides them away with the silence of a departing shadow. It is thus the tortured mind is restored to the calm condition of ease, and fitted for happiness.

[1] This undated composition, of much biographical interest, was shown by Paine to Henry Redhead Yorke, who visited him in Paris (1802), and was allowed to copy the only portions now preserved. In the last of Yorke's *Letters from France* (Lond., 1814), thirty-three pages are given to Paine. Under the name "Little Corner of the World," Lady Smyth wrote cheering letters to Paine in his prison, and he replied to his then unknown correspondent under the name of "The Castle in the Air." After his release he discovered in his correspondent a lady who had appealed to him for assistance, no doubt for her husband. With Sir Robert (an English banker in Paris) and Lady Smyth, Paine formed a fast friendship which continued through life. Sir Robert was born in 1744, and married (1776) a Miss Blake of Hanover Square, London. He died in 1802 of illness brought on by his imprisonment under Napoleon. Several of Paine's poems were addressed to Lady Smyth.—*Editor*.

How dismal must the picture of life appear to the mind in that dreadful moment when it resolves on darkness, and to die! One can scarcely believe such a choice was possible. Yet how many of the young and beautiful, timid in every thing else, and formed for delight, have shut their eyes upon the world, and made the waters their sepulchral bed! Ah, would they in that crisis, when life and death are before them, and each within their reach, would they but think, or try to think, that Forgetfulness will come to their relief, and lull them into ease, they could stay their hand, and lay hold of life. But there is a necromancy in wretchedness that entombs the mind, and increases the misery, by shutting out every ray of light and hope. It makes the wretched falsely believe they will be wretched ever. It is the most fatal of all dangerous delusions; and it is only when this necromantic night-mare of the mind begins to vanish, by being resisted, that it is discovered to be but a tyrannic spectre. All grief, like all things else, will yield to the obliterating power of time. While despair is preying on the mind, time and its effects are preying on despair; and certain it is, the dismal vision will fade away, and Forgetfulness, with her sister Ease, will change the scene. Then let not the wretched be rash, but wait, painful as the struggle may be, the arrival of Forgetfulness; for it will certainly arrive.

I have twice been present at the scene of attempted suicide. The one a love-distracted girl in England, the other of a patriotic friend in France; and as the circumstances of each are strongly pictured in my memory, I will relate them to you. They will in some measure corroborate what I have said of Forgetfulness.

About the year 1766, I was in Lincolnshire, in England, and on a visit at the house of a widow lady, Mrs. E——, at a small village in the fens of that county. It was in summer; and one evening after supper, Mrs. E—— and myself went to take a turn in the garden. It was about eleven o'clock, and to avoid the night air of the fens, we were walking in a bower, shaded over with hazel bushes. On a sudden, she screamed out, and cried "Lord, look, look!" I

cast my eyes through the openings of the hazel bushes in the direction she was looking, and saw a white shapeless figure, without head or arms, moving along one of the walks at some distance from us. I quitted Mrs. E——, and went after it. When I got into the walk where the figure was, and was following it, it took up another walk. There was a holly bush in the corner of the two walks, which, it being night, I did not observe; and as I continued to step forward, the holly bush came in a straight line between me and the figure, and I lost sight of it; and as I passed along one walk, and the figure the other, the holly bush still continued to intercept the view, so as to give the appearance that the figure had vanished. When I came to the corner of the two walks, I caught sight of it again, and coming up with it, I reached out my hand to touch it; and in the act of doing this, the idea struck me, will my hand pass through the air, or shall I feel any thing? Less than a moment would decide this, and my hand rested on the shoulder of a human figure. I spoke, but do not recollect what I said. It answered in a low voice, "Pray let me alone." I then knew who it was. It was a young lady who was on a visit to Mrs. E——, and who, when we sat down to supper, said she found herself extremely ill, and would go to bed. I called to Mrs. E——, who came, and I said to her, "It is Miss N——." Mrs. E—— said, "My God, I hope you are not going to do yourself any hurt;" for Mrs. E—— suspected something. She replied with pathetic melancholy, "Life has not one pleasure for me." We got her into the house, and Mrs. E—— took her to sleep with her.

The case was, the man to whom she expected to be married had forsaken her, and when she heard he was to be married to another the shock appeared to her to be too great to be borne. She had retired, as I have said, to her room, and when she supposed all the family were gone to bed, (which would have been the case if Mrs. E—— and I had not walked into the garden,) she undressed herself, and tied her apron over her head; which, descending below her waist, gave her the shapeless figure I have spoken of. With this

and a white under petticoat and slippers, for she had taken out her buckles and put them at the servant maid's door, I suppose as a keepsake, and aided by the obscurity of almost midnight, she came down stairs, and was going to drown herself in a pond at the bottom of the garden, towards which she was going when Mrs. E—— screamed out. We found afterwards that she had heard the scream, and that was the cause of her changing her walk.

By gentle usage, and leading her into subjects that might, without doing violence to her feelings, and without letting her see the direct intention of it, steal her as it were from the horror she was in, (and I felt a compassionate, earnest disposition to do it, for she was a good girl,) she recovered her former cheerfulness, and was afterwards a happy wife, and the mother of a family.

The other case, and the conclusion in my next:

In Paris, in 1793, I had lodgings in the Rue Fauxbourg, St. Denis, No. 63.[1] They were the most agreeable, for situation, of any I ever had in Paris, except that they were too remote from the Convention, of which I was then a member. But this was recompensed by their being also remote from the alarms and confusion into which the interior of Paris was then often thrown. The news of those things used to arrive to us, as if we were in a state of tranquility in the country. The house, which was enclosed by a wall and gateway from the street, was a good deal like an old mansion farm house, and the court yard was like a farm-yard, stocked with fowls, ducks, turkies, and geese; which, for amusement, we used to feed out of the parlour window on the ground floor. There were some hutches for rabbits, and a sty with two pigs. Beyond, was a garden of more than an acre of ground, well laid out, and stocked with excellent fruit trees. The orange, apricot, and green-gage plum, were the best I ever tasted; and it is the only place where I saw the wild cucumber. The place had formerly been occupied by some curious person.[2]

[1] This ancient mansion is still standing (1895).—*Editor.*

[2] Madame de Pompadour, among others.—*Editor.*

My apartments consisted of three rooms; the first for wood, water, etc., with an old fashioned closet chest, high enough to hang up clothes in; the next was the bed room; and beyond it the sitting room, which looked into the garden through a glass door; and on the outside there was a small landing place railed in, and a flight of narrow stairs almost hidden by the vines that grew over it, by which I could descend into the garden, without going down stairs through the house. I am trying by description to make you see the place in your mind, because it will assist the story I have to tell; and which I think you can do, because you once called upon me there on account of Sir [Robert Smyth], who was then, as I was soon afterwards, in arrestation. But it was winter when you came, and it is a summer scene I am describing.

* * * *

I went into my chambers to write and sign a certificate for them, which I intended to take to the guard house to obtain their release. Just as I had finished it a man came into my room dressed in the Parisian uniform of a captain, and spoke to me in good English, and with a good address. He told me that two young men, Englishmen, were arrested and detained in the guard house, and that the section, (meaning those who represented and acted for the section,) had sent him to ask me if I knew them, in which case they would be liberated. This matter being soon settled between us, he talked to me about the Revolution, and something about the "Rights of Man," which he had read in English; and at parting offered me in a polite and civil manner, his services. And who do you think the man was that offered me his services? It was no other than the public executioner Samson, who guillotined the king, and all who were guillotined in Paris; and who lived in the same section, and in the same street with me.

* * * *

As to myself, I used to find some relief by walking alone in the garden after dark, and cursing with hearty good will

the authors of that terrible system that had turned the character of the Revolution I had been proud to defend.

I went but little to the Convention, and then only to make my appearance; because I found it impossible to join in their tremendous decrees, and useless and dangerous to oppose them. My having voted and spoken extensively, more so than any other member, against the execution of the king, had already fixed a mark upon me: neither dared any of my associates in the Convention to translate and speak in French for me anything I might have dared to have written.

* * * *

Pen and ink were then of no use to me: no good could be done by writing, and no printer dared to print; and whatever I might have written for my private amusement, as anecdotes of the times, would have been continually exposed to be examined, and tortured into any meaning that the rage of party might fix upon it; and as to softer subjects, my heart was in distress at the fate of my friends, and my harp hung upon the weeping willows.[1]

As it was summer we spent most of our time in the garden, and passed it away in those childish amusements that serve to keep reflection from the mind, such as marbles, scotch-hops, battledores, etc., at which we were all pretty expert.

In this retired manner we remained about six or seven weeks, and our landlord went every evening into the city to bring us the news of the day and the evening journal.

I have now, my "Little Corner of the World," led you on, step by step, to the scene that makes the sequel to this narrative, and I will put that scene before your eyes. You shall see it in description as I saw it in fact.[2]

* * * *

He recovered, and being anxious to get out of France, a passage was obtained for him and Mr. Choppin: they re-

[1] This allusion is to the Girondins.—*Editor.*

[2] Yorke omits the description "from motives of personal delicacy." The case was that of young Johnson, a wealthy devotee of Paine in London, who

ceived it late in the evening, and set off the next morning for Basle before four, from which place I had a letter from them, highly pleased with their escape from France, into which they had entered with an enthusiasm of patriotic devotion. Ah, France! thou hast ruined the character of a Revolution virtuously begun, and destroyed those who produced it. I might almost say like Job's servant, "and I only am escaped."

Two days after they were gone I heard a rapping at the gate, and looking out of the window of the bed room I saw the landlord going with the candle to the gate, which he opened, and a guard with musquets and fixed bayonets entered. I went to bed again, and made up my mind for prison, for I was then the only lodger. It was a guard to take up [Johnson and Choppin], but, I thank God, they were out of their reach.

The guard came about a month after in the night, and took away the landlord Georgeit; and the scene in the house finished with the arrestation of myself. This was soon after you called on me, and sorry I was it was not in my power to render to [Sir Robert Smyth] the service that you asked.

I have now fulfilled my engagement, and I hope your expectation, in relating the case of [Johnson], landed back on the shore of life, by the mistake of the pilot who was conducting him out; and preserved afterwards from prison, perhaps a worse fate, without knowing it himself.

You say a story cannot be too melancholy for you. This is interesting and affecting, but not melancholy. It may raise in your mind a sympathetic sentiment in reading it; and though it may start a tear of pity, you will not have a tear of sorrow to drop on the page.

* * * *

Here, my contemplative correspondent, let us stop and look back upon the scene. The matters here related being

had followed him to Paris and lived in the same house with him. Hearing that Marat had resolved on Paine's death, Johnson wrote a will bequeathing his property to Paine, then stabbed himself, but recovered. Paine was examined about this incident at Marat's trial. (*Moniteur*, April 24, 1793.) See my "Life of Paine," vol. ii., p. 48 *seq.*—*Editor.*

all facts, are strongly pictured in my mind, and in this sense Forgetfulness does not apply. But facts and feelings are distinct things, and it is against feelings that the opium wand of Forgetfulness draws us into ease. Look back on any scene or subject that once gave you distress, for all of us have felt some, and you will find, that though the remembrance of the fact is not extinct in your memory, the feeling is extinct in your mind. You can remember when you had felt distress, but you cannot feel that distress again, and perhaps will wonder you felt it then. It is like a shadow that loses itself by light.

It is often difficult to know what is a misfortune: that which we feel as a great one today, may be the means of turning aside our steps into some new path that leads to happiness yet unknown. In tracing the scenes of my own life, I can discover that the condition I now enjoy, which is sweet to me, and will be more so when I get to America, except by the loss of your society, has been produced, in the first instance, in my being disappointed in former projects. Under that impenetrable veil, futurity, we know not what is concealed, and the day to arrive is hidden from us. Turning then our thoughts to those cases of despair that lead to suicide, when, "the mind," as you say, "neither sees nor hears, and holds counsel only with itself; when the very idea of consolation would add to the torture, and self-destruction is its only aim," what, it may be asked, is the best advice, what the best relief? I answer, seek it not in reason, for the mind is at war with reason, and to reason against feelings is as vain as to reason against fire: it serves only to torture the torture, by adding reproach to horror. All reasoning with ourselves in such cases acts upon us like the reason of another person, which, however kindly done, serves but to insult the misery we suffer. If reason could remove the pain, reason would have prevented it. If she could not do the one, how is she to perform the other? In all such cases we must look upon Reason as dispossessed of her empire, by a revolt of the mind. She retires herself to a distance to weep, and the ebony scep-

tre of Despair rules alone. All that Reason can do is to suggest, to hint a thought, to signify a wish, to cast now and then a kind of bewailing look, to hold up, when she can catch the eye, the miniature-shaded portrait of Hope; and though dethroned, and can dictate no more, to wait upon us in the humble station of a handmaid.

XXVIII.

AGRARIAN JUSTICE.

EDITOR'S INTRODUCTION.

THIS pamphlet appeared first in Paris, 1797, with the title: "Thomas Payne à La Législature et au Directoire. Ou la Justice Agraire opposée à la Loi Agraire, et aux privilèges agraires. Prix 15 sols. À Paris, chez la citoyenne Ragouleau, près le Théâtre de la République, No. 229. Et chez les Marchands de Nouveautés." A prefatory note says (translated): "The sudden departure of Thomas Paine has prevented his supervising the translation of this work, to which he attached great value. He entrusted it to a friend. It is for the reader to decide whether the scheme here set forth is worthy of the publicity given it." (Paine had gone to Havre early in May with the Monroes, intending to accompany them to America, but, rightly suspecting plans for his capture by an English cruiser, returned to Paris.) In the same year the pamphlet was printed in English, by W. Adlard in Paris, and in London for "T. Williams, No. 8 Little Turnstile, Holborn." Paine's preface to the London edition contained some sentences which the publishers, as will be seen, suppressed under asterisks, and two sentences were omitted from the pamphlet which I have supplied from the French. The English title adds a brief resumé of Paine's scheme to the caption—"Agrarian Justice opposed to Agrarian Law, and to Agrarian Monopoly." The work was written in the winter of 1795–6, when Paine was still an invalid in Monroe's house, though not published until 1797.

The prefatory Letter to the Legislature and the Directory, now for the first time printed in English, is of much historical interest, and shows the title of the pamphlet related to

the rise of Socialism in France. The leader of that movement, François Noel Babeuf, a frantic and pathetic figure of the time, had just been executed. He had named himself "Gracchus," and called his journal "Tribune du Peuple," in homage to the Roman Tribune, Caius Gracchus, the original socialist and agrarian, whose fate (suicide of himself and his servant) Babeuf and his disciple Darthé invoked in prison, whence they were carried bleeding to the guillotine. This, however, was on account of the conspiracy they had formed, with the remains of the Robespierrian party and some disguised royalists, to overthrow the government. The socialistic propaganda of Babeuf, however, prevailed over all other elements of the conspiracy: the reactionary features of the Constitution, especially the property qualification of suffrage (of whose effects Paine had warned the Convention in the speech printed in this volume, chapter xxv.) and the poverty which survived a revolution that promised its abolition, had excited wide discontent. The "Babouvists" numbered as many as 17,000 in Paris. Babeuf and Lepelletier were appointed by the secret council of this fraternity (which took the name of "Equals") a "Directory of Public Safety." May 11, 1796, was fixed for seizing on the government, and Babeuf had prepared his Proclamation of the socialistic millennium. But the plot was discovered, May 10th, the leaders arrested, and, after a year's delay, two of them executed,—the best-hearted men in the movement, Babeuf and Darthé.

Paine too had been moved by the cry for "Bread, and the Constitution of '93"; and it is a notable coincidence that in that winter of 1795–6, while the socialists were secretly plotting to seize the kingdom of heaven by violence, Paine was devising his plan of relief by taxing inheritances of land, anticipating by a hundred years the English budget of Sir William Harcourt. Babeuf having failed in his socialist, and Pichegru in his royalist, plot, their blows were yet fatal: there still remained in the hearts of millions a Babeuf or a Pichegru awaiting the chieftain strong enough to combine them, as Napoleon presently did, making all the nation "Égaux" as parts of a mighty military engine, and satisfying the royalist triflers with the pomp and glory of war.

AUTHOR'S INSCRIPTION.

To the Legislature and the Executive Directory of the French Republic.

THE plan contained in this work is not adapted for any particular country alone: the principle on which it is based is general. But as the rights of man are a new study in this world, and one needing protection from priestly imposture, and the insolence of oppressions too long established, I have thought it right to place this little work under your safeguard. When we reflect on the long and dense night in which France and all Europe have remained plunged by their governments and their priests, we must feel less surprise than grief at the bewilderment caused by the first burst of light that dispels the darkness. The eye accustomed to darkness can hardly bear at first the broad daylight. It is by usage the eye learns to see, and it is the same in passing from any situation to its opposite.

As we have not at one instant renounced all our errors, we cannot at one stroke acquire knowledge of all our rights. France has had the honour of adding to the word *Liberty* that of *Equality;* and this word signifies essentially a principal that admits of no gradation in the things to which it applies. But equality is often misunderstood, often misapplied, and often violated.

Liberty and *Property* are words expressing all those of our possessions which are not of an intellectual nature. There are two kinds of property. Firstly, natural property, or that which comes to us from the Creator of the universe,—such as the earth, air, water. Secondly, artificial or acquired property,—the invention of men. In the latter equality is impossible; for to distribute it equally it would be necesary that all should have contributed in the same proportion, which can never be the case; and this being the case, every individual would hold on to his own property, as his right share. Equality of natural property is the subject of this little essay. Every individual in the world is born therein with legitimate claims on a certain kind of property, or its equivalent.

The right of voting for persons charged with the execution of the laws that govern society is inherent in the word Liberty, and constitutes the equality of personal rights. But even if that right (of voting) were inherent in property, which I deny, the right of suffrage would still belong to all equally, because, as I have said, all individuals have legitimate birthrights in a certain species of property.

I have always considered the present Constitution of the French Republic the *best organized system* the human mind has yet produced. But I hope my former colleagues will not be offended if I warn them of an error which has slipped into its principle. Equality of the right of suffrage is not maintained. This right is in it connected with a condition on which it ought not to depend; that is, with a proportion of a certain tax called "direct." The dignity of suffrage is thus lowered; and, in placing it in the scale with an inferior thing, the enthusiasm that right is capable of inspiring is diminished. It is impossible to find any equivalent counterpoise for the right of suffrage, because it is alone worthy to be its own basis, and cannot thrive as a graft, or an appendage.

Since the Constitution was established we have seen two conspiracies stranded,—that of Babeuf, and that of some obscure personages who decorate themselves with the despicable name of "royalists." The defect in principle of the Constitution was the origin of Babeuf's conspiracy. He availed himself of the resentment caused by this flaw, and instead of seeking a remedy by legitimate and constitutional means, or proposing some measure useful to society, the conspirators did their best to renew disorder and confusion, and constituted themselves personally into a Directory, which is formally destructive of election and representation. They were, in fine, extravagant enough to suppose that society, occupied with its domestic affairs, would blindly yield to them a directorship usurped by violence.

The conspiracy of Babeuf was followed in a few months by that of the royalists, who foolishly flattered themselves with the notion of doing great things by feeble or foul means. They counted on all the discontented, from what-

ever cause, and tried to rouse, in their turn, the class of people who had been following the others. But these new chiefs acted as if they thought society had nothing more at heart than to maintain courtiers, pensioners, and all their train, under the contemptible title of royalty. My little essay will disabuse them, by showing that society is aiming at a very different end,—maintaining itself.

We all know or should know, that the time during which a revolution is proceeding is not the time when its resulting advantages can be enjoyed. But had Babeuf and his accomplices taken into consideration the condition of France under this constitution, and compared it with what it was under the tragical revolutionary government, and during the execrable reign of Terror, the rapidity of the alteration must have appeared to them very striking and astonishing. Famine has been replaced by abundance, and by the well-founded hope of a near and increasing prosperity.

As for the defect in the Constitution, I am fully convinced that it will be rectified constitutionally, and that this step is indispensable; for so long as it continues it will inspire the hopes and furnish the means of conspirators; and for the rest, it is regrettable that a Constitution so wisely organized should err so much in its principle. This fault exposes it to other dangers which will make themselves felt. Intriguing candidates will go about among those who have not the means to pay the direct tax and pay it for them, on condition of receiving their votes. Let us maintain inviolably equality in the sacred right of suffrage: public security can never have a basis more solid. Salut et Fraternité.

Your former colleague,

THOMAS PAINE.

AUTHOR'S ENGLISH PREFACE.

THE following little Piece was written in the winter of 1795 and 96; and, as I had not determined whether to publish it during the present war, or to wait till the commencement of a peace, it has lain by me, without alteration or addition, from the time it was written.

What has determined me to publish it now is, a sermon preached by Watson, *Bishop of Llandaff*. Some of my Readers will recollect, that this Bishop wrote a Book entitled *An Apology for the Bible*, in answer to my *Second Part of the Age of Reason*. I procured a copy of his Book, and he may depend upon hearing from me on that subject.

At the end of the Bishop's Book is a List of the Works he has written. Among which is the sermon alluded to; it is entitled: "The Wisdom and Goodness of God, in having made both Rich and Poor; with an Appendix, containing Reflections on the Present State of England and France."

The error contained in this sermon determined me to publish my AGRARIAN JUSTICE. It is wrong to say God made *rich* and *poor;* he made only *male* and *female;* and he gave them the earth for their inheritance.[1] . . .

Instead of preaching to encourage one part of mankind in insolence . . . it would be better that Priests employed their time to render the general condition of man less miserable than it is. Practical religion consists in doing good: and the only way of serving God is, that of endeavouring to make his creation happy. All preaching that has not this for its object is nonsense and hypocracy.

THOMAS PAINE.

[1] The omissions are noted in the English edition of 1797.—*Editor.*

AGRARIAN JUSTICE.

To preserve the benefits of what is called civilized life, and to remedy at the same time the evil which it has produced, ought to be considered as one of the first objects of reformed legislation.

Whether that state that is proudly, perhaps erroneously, called civilization, has most promoted or most injured the general happiness of man, is a question that may be strongly contested. On one side, the spectator is dazzled by splendid appearances; on the other, he is shocked by extremes of wretchedness; both of which it has erected. The most affluent and the most miserable of the human race are to be found in the countries that are called civilized.

To understand what the state of society ought to be, it is necessary to have some idea of the natural and primitive state of man; such as it is at this day among the Indians of North America. There is not, in that state, any of those spectacles of human misery which poverty and want present to our eyes in all the towns and streets in Europe. Poverty, therefore, is a thing created by that which is called civilized life. It exists not in the natural state. On the other hand, the natural state is without those advantages which flow from agriculture, arts, science, and manufactures.

The life of an Indian is a continual holiday, compared with the poor of Europe; and, on the other hand it appears to be abject when compared to the rich. Civilization, therefore, or that which is so called, has operated two ways: to make one part of society more affluent, and the other more wretched, than would have been the lot of either in a natural state.

It is always possible to go from the natural to the civilized state, but it is never possible to go from the civilized to the natural state. The reason is, that man in a natural state, subsisting by hunting, requires ten times the quantity of land to range over to procure himself sustenance, than would support him in a civilized state, where the earth is cultivated. When, therefore, a country becomes populous

by the additional aids of cultivation, art, and science, there is a necessity of preserving things in that state; because without it there cannot be sustenance for more, perhaps, than a tenth part of its inhabitants. The thing, therefore, now to be done is to remedy the evils and preserve the benefits that have arisen to society by passing from the natural to that which is called the civilized state.

In taking the matter upon this ground, the first principle of civilization ought to have been, and ought still to be, that the condition of every person born into the world, after a state of civilization commences, ought not to be worse than if he had been born before that period. But the fact is, that the condition of millions, in every country in Europe, is far worse than if they had been born before civilization began, or had been born among the Indians of North-America at the present day. I will shew how this fact has happened.

It is a position not to be controverted that the earth, in its natural uncultivated state was, and ever would have continued to be, *the common property of the human race.* In that state every man would have been born to property. He would have been a joint life proprietor with the rest in the property of the soil, and in all its natural productions, vegetable and animal.

But the earth in its natural state, as before said, is capable of supporting but a small number of inhabitants compared with what it is capable of doing in a cultivated state. And as it is impossible to separate the improvement made by cultivation from the earth itself, upon which that improvement is made, the idea of landed property arose from that inseparable connection; but it is nevertheless true, that it is the value of the improvement only, and not the earth itself, that is individual property. Every proprietor, therefore, of cultivated land, owes to the community a *ground-rent* (for I know of no better term to express the idea) for the land which he holds; and it is from this ground-rent that the fund proposed in this plan is to issue.

It is deducible, as well from the nature of the thing as

from all the histories transmitted to us, that the idea of landed property commenced with cultivation, and that there was no such thing as landed property before that time. It could not exist in the first state of man, that of hunters. It did not exist in the second state, that of shepherds: neither Abraham, Isaac, Jacob, nor Job, so far as the history of the Bible may be credited in probable things, were owners of land. Their property consisted, as is always enumerated, in flocks and herds, and they travelled with them from place to place. The frequent contentions at that time, about the use of a well in the dry country of Arabia, where those people lived, also shew that there was no landed property. It was not admitted that land could be claimed as property.

There could be no such thing as landed property originally. Man did not make the earth, and, though he had a natural right to *occupy* it, he had no right to *locate as his property* in perpetuity any part of it; neither did the creator of the earth open a land-office, from whence the first title-deeds should issue. Whence then, arose the idea of landed property? I answer as before, that when cultivation began the idea of landed property began with it, from the impossibility of separating the improvement made by cultivation from the earth itself, upon which that improvement was made. The value of the improvement so far exceeded the value of the natural earth, at that time, as to absorb it; till, in the end, the common right of all became confounded into the cultivated right of the individual. But there are, nevertheless, distinct species of rights, and will continue to be so long as the earth endures.

It is only by tracing things to their origin that we can gain rightful ideas of them, and it is by gaining such ideas that we discover the boundary that divides right from wrong, and teaches every man to know his own. I have entitled this tract Agrarian Justice, to distinguish it from Agrarian Law. Nothing could be more unjust than Agrarian Law in a country improved by cultivation; for though every man, as an inhabitant of the earth, is a joint proprietor of it in its

natural state, it does not follow that he is a joint proprietor of cultivated earth. The additional value made by cultivation, after the system was admitted, became the property of those who did it, or who inherited it from them, or who purchased it. It had originally no owner. Whilst, therefore, I advocate the right, and interest myself in the hard case of all those who have been thrown out of their natural inheritance by the introduction of the system of landed property, I equally defend the right of the possessor to the part which is his.

Cultivation is at least one of the greatest natural improvements ever made by human invention. It has given to created earth a tenfold value. But the landed monopoly that began with it has produced the greatest evil. It has dispossessed more than half the inhabitants of every nation of their natural inheritance, without providing for them, as ought to have been done, an indemnification for that loss, and has thereby created a species of poverty and wretchedness that did not exist before.

In advocating the case of the persons thus dispossessed, it is a right, and not a charity, that I am pleading for. But it is that kind of right which, being neglected at first, could not be brought forward afterwards till heaven had opened the way by a revolution in the system of government. Let us then do honour to revolutions by justice, and give currency to their principles by blessings.

Having thus in a few words, opened the merits of the case, I shall now proceed to the plan I have to propose, which is,

To create a National Fund, out of which there shall be paid to every person, when arrived at the age of twenty-one years, the sum of fifteen pounds sterling, as a compensation in part, for the loss of his or her natural inheritance, by the introduction of the system of landed property:

And also, the sum of ten pounds per annum, during life, to every person now living, of the age of fifty years, and to all others as they shall arrive at that age.

MEANS BY WHICH THE FUND IS TO BE CREATED.

I have already established the principle, namely, that the earth, in its natural uncultivated state was, and ever would have continued to be, the *common property of the human race;* that in that state, every person would have been born to property; and that the system of landed property, by its inseparable connection with cultivation, and with what is called civilized life, has absorbed the property of all those whom it dispossessed, without providing, as ought to have been done, an indemnification for that loss.

The fault, however, is not in the present possessors. No complaint is intended, or ought to be alleged against them, unless they adopt the crime by opposing justice. The fault is in the system, and it has stolen imperceptibly upon the world, aided afterwards by the agrarian law of the sword. But the fault can be made to reform itself by successive generations; and without diminishing or deranging the property of any of the present possessors, the operation of the fund can yet commence, and be in full activity, the first year of its establishment, or soon after, as I shall shew.

It is proposed that the payments, as already stated, be made to every person, rich or poor. It is best to make it so, to prevent invidious distinctions. It is also right it should be so, because it is in lieu of the natural inheritance, which, as a right, belongs to every man, over and above the property he may have created, or inherited from those who did. Such persons as do not choose to receive it can throw it into the common fund.

Taking it then for granted that no person ought to be in a worse condition when born under what is called a state of civilization, than he would have been had he been born in a state of nature, and that civilization ought to have made, and ought still to make, provision for that purpose, it can only be done by subtracting from property a portion equal in value to the natural inheritance it has absorbed.

Various methods may be proposed for this purpose, but that which appears to be the best (not only because it will operate without deranging any present possessors, or with-

out interfering with the collection of taxes or *emprunts* necessary for the purposes of government and the revolution, but because it will be the least troublesome and the most effectual, and also because the subtraction will be made at a time that best admits it) is at the moment that property is passing by the death of one person to the possession of another. In this case, the bequeather gives nothing: the receiver pays nothing. The only matter to him is, that the monopoly of natural inheritance, to which there never was a right, begins to cease in his person. A generous man would not wish it to continue, and a just man will rejoice to see it abolished.

My state of health prevents my making sufficient inquiries with respect to the doctrine of probabilities, whereon to found calculations with such degrees of certainty as they are capable of. What, therefore, I offer on this head is more the result of observation and reflection than of received information; but I believe it will be found to agree sufficiently with fact.

In the first place, taking twenty-one years as the epoch of maturity, all the property of a nation, real and personal, is always in the possession of persons above that age. It is then necessary to know, as a datum of calculation, the average of years which persons above that age will live. I take this average to be about thirty years, for though many persons will live forty, fifty, or sixty years after the age of twenty-one years, others will die much sooner, and some in every year of that time.

Taking, then, thirty years as the average of time, it will give, without any material variation one way or other, the average of time in which the whole property or capital of a nation, or a sum equal thereto, will have passed through one entire revolution in descent, that is, will have gone by deaths to new possessors; for though, in many instances, some parts of this capital will remain forty, fifty, or sixty years in the possession of one person, other parts will have revolved two or three times before those thirty years expire, which will bring it to that average; for were one half the

capital of a nation to revolve twice in thirty years, it would produce the same fund as if the whole revolved once.

Taking, then, thirty years as the average of time in which the whole capital of a nation, or a sum equal thereto, will revolve once, the thirtieth part thereof will be the sum that will revolve every year, that is, will go by deaths to new possessors; and this last sum being thus known, and the ratio per cent. to be subtracted from it determined, it will give the annual amount or income of the proposed fund, to be applied as already mentioned.

In looking over the discourse of the English minister, Pitt, in his opening of what is called in England the budget, (the scheme of finance for the year 1796,) I find an estimate of the national capital of that country. As this estimate of a national capital is prepared ready to my hand, I take it as a datum to act upon. When a calculation is made upon the known capital of any nation, combined with its population, it will serve as a scale for any other nation, in proportion as its capital and population be more or less. I am the more disposed to take this estimate of Mr. Pitt, for the purpose of showing to that minister, upon his own calculation, how much better money may be employed than in wasting it, as he has done, on the wild project of setting up Bourbon kings. What, in the name of heaven, are Bourbon kings to the people of England? It is better that the people have bread.

Mr. Pitt states the national capital of England, real and personal, to be one thousand three hundred millions sterling, which is about one-fourth part of the national capital of France, including Belgia. The event of the last harvest in each country proves that the soil of France is more productive than that of England, and that it can better support twenty-four or twenty-five millions of inhabitants than that of England can seven or seven and a half millions.

The thirtieth part of this capital of 1,300,000,000*l.* is 43,333,333*l.* which is the part that will revolve every year by deaths in that country to new possessors; and the sum that will annually revolve in France in the proportion of four to

one, will be about one hundred and seventy-three millions sterling. From this sum of 43,333,333*l.* annually revolving, is to be subtracted the value of the natural inheritance absorbed in it, which, perhaps, in fair justice, cannot be taken at less, and ought not to be taken for more, than a tenth part.

It will always happen, that of the property thus revolving by deaths every year a part will descend in a direct line to sons and daughters, and the other part collaterally, and the proportion will be found to be about three to one; that is, about thirty millions of the above sum will descend to direct heirs, and the remaining sum of 13,333,333*l.* to more distant relations, and in part to strangers.

Considering, then, that man is always related to society, that relationship will become comparatively greater in proportion as the next of kin is more distant, it is therefore consistent with civilization to say that where there are no direct heirs society shall be heir to a part over and above the tenth part *due* to society. If this additional part be from five to ten or twelve per cent., in proportion as the next of kin be nearer or more remote, so as to average with the escheats that may fall, which ought always to go to society and not to the government (an addition of ten per cent. more), the produce from the annual sum of 43,333,333*l.* will be:

From 30,000,000*l.* at ten per cent.	3,000,000*l.*
From 13,333,333*l.* at ten per cent. with the addition of ten per cent. more. .	2,666,666
43,333,333*l.*	5,666,666*l.*

Having thus arrived at the annual amount of the proposed fund, I come, in the next place, to speak of the population proportioned to this fund, and to compare it with the uses to which the fund is to be applied.

The population (I mean that of England) does not exceed seven millions and a half, and the number of persons above the age of fifty will in that case be about four hundred thou-

sand. There would not, however, be more than that number that would accept the proposed ten pounds sterling per annum, though they would be entitled to it. I have no idea it would be accepted by many persons who had a yearly income of two or three hundred pounds sterling. But as we often see instances of rich people falling into sudden poverty, even at the age of sixty, they would always have the right of drawing all the arrears due to them. Four millions, therefore, of the above annual sum of 5,666,666*l.* will be required for four hundred thousand aged persons, at ten pounds sterling each.

I come now to speak of the persons annually arriving at twenty-one years of age. If all the persons who died were above the age of twenty-one years, the number of persons annually arriving at that age, must be equal to the annual number of deaths, to keep the population stationary. But the greater part die under the age of twenty-one, and therefore the number of persons annually arriving at twenty-one will be less than half the number of deaths. The whole number of deaths upon a population of seven millions and an half will be about 220,000 annually. The number arriving at twenty-one years of age will be about 100,000. The whole number of these will not receive the proposed fifteen pounds, for the reasons already mentioned, though, as in the former case, they would be entitled to it. Admitting then that a tenth part declined receiving it, the amount would stand thus:

Fund annually		5,666,666*l.*
To 400,000 aged persons at 10*l.* each	4,000,000*l*	
To 90,000 persons of 21 years, 15*l.* ster. each	1,350,000	
		5,350,000
	Remains	316,666*l.*

There are, in every country, a number of blind and lame persons, totally incapable of earning a livelihood. But as it

will always happen that the greater number of blind persons will be among those who are above the age of fifty years, they will be provided for in that class. The remaining sum of 316,666*l.* will provide for the lame and blind under that age, at the same rate of 10*l.* annually for each person.

Having now gone through all the necessary calculations, and stated the particulars of the plan, I shall conclude with some observations.

It is not charity but a right, not bounty but justice, that I am pleading for. The present state of civilization is as odious as it is unjust. It is absolutely the opposite of what it should be, and it is necessary that a revolution should be made in it.[1] The contrast of affluence and wretchedness continually meeting and offending the eye, is like dead and living bodies chained together. Though I care as little about riches, as any man, I am a friend to riches because they are capable of good. I care not how affluent some may be, provided that none be miserable in consequence of it. But it is impossible to enjoy affluence with the felicity it is capable of being enjoyed, whilst so much misery is mingled in the scene. The sight of the misery, and the unpleasant sensations it suggests, which, though they may be suffocated cannot be extinguished, are a greater drawback upon the felicity of affluence than the proposed 10 per cent. upon property is worth. He that would not give the one to get rid of the other has no charity, even for himself.

There are, in every country, some magnificent charities established by individuals. It is, however, but little that any individual can do, when the whole extent of the misery to be relieved is considered. He may satisfy his conscience, but not his heart. He may give all that he has, and that all will relieve but little. It is only by organizing civilization upon such principles as to act like a system of pullies, that the whole weight of misery can be removed.

[1] This and the preceding sentence are omitted in all previous English and American editions.—*Editor.*

The plan here proposed will reach the whole. It will immediately relieve and take out of view three classes of wretchedness—the blind, the lame, and the aged poor; and it will furnish the rising generation with means to prevent their becoming poor; and it will do this without deranging or interfering with any national measures. To shew that this will be the case, it is sufficient to observe that the operation and effect of the plan will, in all cases, be the same as if every individual were *voluntarily* to make his will and dispose of his property in the manner here proposed.

But it is justice, and not charity, that is the principle of the plan. In all great cases it is necessary to have a principle more universally active than charity; and, with respect to justice, it ought not to be left to the choice of detached individuals whether they will do justice or not. Considering then, the plan on the ground of justice, it ought to be the act of the whole, growing spontaneously out of the principles of the revolution, and the reputation of it ought to be national and not individual.

A plan upon this principle would benefit the revolution by the energy that springs from the consciousness of justice. It would multiply also the national resources; for property, like vegetation, increases by offsets. When a young couple begin the world, the difference is exceedingly great whether they begin with nothing or with fifteen pounds a piece. With this aid they could buy a cow, and implements to cultivate a few acres of land; and instead of becoming burdens upon society, which is always the case where children are produced faster than they can be fed, would be put in the way of becoming useful and profitable citizens. The national domains also would sell the better if pecuniary aids were provided to cultivate them in small lots.

It is the practice of what has unjustly obtained the name of civilization (and the practice merits not to be called either charity or policy) to make some provision for persons becoming poor and wretched only at the time they become so. Would it not, even as a matter of economy, be far better to adopt means to prevent their becoming poor? This can best

be done by making every person when arrived at the age of twenty-one years an inheritor of something to begin with. The rugged face of society, chequered with the extremes of affluence and want, proves that some extraordinary violence has been committed upon it, and calls on justice for redress. The great mass of the poor in all countries are become an hereditary race, and it is next to impossible for them to get out of that state of themselves. It ought also to be observed that this mass increases in all countries that are called civilized. More persons fall annually into it than get out of it.

Though in a plan of which justice and humanity are the foundation-principles, interest ought not to be admitted into the calculation, yet it is always of advantage to the establishment of any plan to shew that it is beneficial as a matter of interest. The success of any proposed plan submitted to public consideration must finally depend on the numbers interested in supporting it, united with the justice of its principles.

The plan here proposed will benefit all, without injuring any. It will consolidate the interest of the Republic with that of the individual. To the numerous class dispossessed of their natural inheritance by the system of landed property it will be an act of national justice. To persons dying possessed of moderate fortunes it will operate as a tontine to their children, more beneficial than the sum of money paid into the fund: and it will give to the accumulation of riches a degree of security that none of the old governments of Europe, now tottering on their foundations, can give.

I do not suppose that more than one family in ten, in any of the countries of Europe, has, when the head of the family dies, a clear property left of five hundred pounds sterling. To all such the plan is advantageous. That property would pay fifty pounds into the fund, and if there were only two children under age they would receive fifteen pounds each, (thirty pounds,) on coming of age, and be entitled to ten pounds a-year after fifty. It is from the overgrown acquisition of property that the fund will support itself; and I

know that the possessors of such property in England, though they would eventually be benefited by the protection of nine-tenths of it, will exclaim against the plan. But without entering into any inquiry how they came by that property, let them recollect that they have been the advocates of this war, and that Mr. Pitt has already laid on more new taxes to be raised annually upon the people of England, and that for supporting the despotism of Austria and the Bourbons against the liberties of France, than would pay annually all the sums proposed in this plan.

I have made the calculations stated in this plan, upon what is called personal, as well as upon landed property. The reason for making it upon land is already explained; and the reason for taking personal property into the calculation is equally well founded though on a different principle. Land, as before said, is the free gift of the Creator in common to the human race. Personal property is the *effect of society;* and it is as impossible for an individual to acquire personal property without the aid of society, as it is for him to make land originally. Separate an individual from society, and give him an island or a continent to possess, and he cannot acquire personal property. He cannot be rich. So inseparably are the means connected with the end, in all cases, that where the former do not exist the latter cannot be obtained. All accumulation, therefore, of personal property, beyond what a man's own hands produce, is derived to him by living in society; and he owes on every principle of justice, of gratitude, and of civilization, a part of that accumulation back again to society from whence the whole came. This is putting the matter on a general principle, and perhaps it is best to do so; for if we examine the case minutely it will be found that the accumulation of personal property is, in many instances, the effect of paying too little for the labour that produced it; the consequence of which is, that the working hand perishes in old age, and the employer abounds in affluence. It is, perhaps, impossible to proportion exactly the price of labour to the profits it produces; and it will also be said, as an apology for the injus-

tice, that were a workman to receive an increase of wages daily he would not save it against old age, nor be much better for it in the interim. Make, then, society the treasurer to guard it for him in a common fund; for it is no reason, that because he might not make a good use of it for himself, another should take it.

The state of civilization that has prevailed throughout Europe, is as unjust in its principle, as it is horrid in its effects; and it is the consciousness of this, and the apprehension that such a state cannot continue when once investigation begins in any country, that makes the possessors of property dread every idea of a revolution. It is the hazard and not the principle of revolutions that retards their progress. This being the case, it is necessary as well for the protection of property, as for the sake of justice and humanity, to form a system that, whilst it preserves one part of society from wretchedness, shall secure the other from depredation.

The superstitious awe, the enslaving reverence, that formerly surrounded affluence, is passing away in all countries, and leaving the possessor of property to the convulsion of accidents. When wealth and splendour, instead of fascinating the multitude, excite emotions of disgust; when, instead of drawing forth admiration, it is beheld as an insult upon wretchedness; when the ostentatious appearance it makes serves to call the right of it in question, the case of property becomes critical, and it is only in a system of justice that the possessor can contemplate security.

To remove the danger, it is necessary to remove the antipathies, and this can only be done by making property productive of a national blessing, extending to every individual. When the riches of one man above another shall increase the national fund in the same proportion; when it shall be seen that the prosperity of that fund depends on the prosperity of individuals; when the more riches a man acquires, the better it shall be for the general mass; it is then that antipathies will cease, and property be placed on the permanent basis of national interest and protection.

I have no property in France to become subject to the plan I propose. What I have, which is not much, is in the United States of America. But I will pay one hundred pounds sterling towards this fund in France, the instant it shall be established; and I will pay the same sum in England, whenever a similar establishment shall take place in that country.

A revolution in the state of civilization is the necessary companion of revolutions in the system of government. If a revolution in any country be from bad to good, or from good to bad, the state of what is called civilization in that country, must be made conformable thereto, to give that revolution effect. Despotic government supports itself by abject civilization, in which debasement of the human mind, and wretchedness in the mass of the people, are the chief criterions. Such governments consider man merely as an animal; that the exercise of intellectual faculty is not his privilege; *that he has nothing to do with the laws but to obey them;* * and they politically depend more upon breaking the spirit of the people by poverty, than they fear enraging it by desperation.

It is a revolution in the state of civilization that will give perfection to the revolution of France. Already the conviction that government by representation is the true system of government is spreading itself fast in the world. The reasonableness of it can be seen by all. The justness of it makes itself felt even by its opposers. But when a system of civilization, growing out of that system of government, shall be so organized that not a man or woman born in the Republic but shall inherit some means of beginning the world, and see before them the certainty of escaping the miseries that under other governments accompany old age, the revolution of France will have an advocate and an ally in the heart of all nations.

An army of principles will penetrate where an army of soldiers cannot; it will succeed where diplomatic management would fail: it is neither the Rhine, the Channel, nor

* Expression of Horsley, an English bishop, in the English parliament.—*Author.*

the Ocean that can arrest its progress: it will march on the horizon of the world, and it will conquer.

MEANS FOR CARRYING THE PROPOSED PLAN INTO EXECUTION, AND TO RENDER IT AT THE SAME TIME CONDUCIVE TO THE PUBLIC INTEREST.

I. Each canton shall elect in its primary assemblies, three persons, as commissioners for that canton, who shall take cognizance, and keep a register of all matters happening in that canton, conformable to the charter that shall be established by law for carrying this plan into execution.

II. The law shall fix the manner in which the property of deceased persons shall be ascertained.

III. When the amount of the property of any deceased person shall be ascertained, the principal heir to that property, or the eldest of the co-heirs, if of lawful age, or if under age the person authorized by the will of the deceased to represent him or them, shall give bond to the commissioners of the canton to pay the said tenth part thereof in four equal quarterly payments, within the space of one year or sooner, at the choice of the payers. One half of the whole property shall remain as a security until the bond be paid off.

IV. The bond shall be registered in the office of the commissioners of the canton, and the original bonds shall be deposited in the national bank at Paris. The bank shall publish every quarter of a year the amount of the bonds in its possession, and also the bonds that shall have been paid off, or what parts thereof, since the last quarterly publication.

V. The national bank shall issue bank notes upon the security of the bonds in its possession. The notes so issued, shall be applied to pay the pensions of aged persons, and the compensations to persons arriving at twenty-one years of age. It is both reasonable and generous to suppose, that persons not under immediate necessity, will suspend their right of drawing on the fund, until it acquire, as it will do, a greater degree of ability. In this case, it is proposed, that

an honorary register be kept, in each canton, of the names of the persons thus suspending that right, at least during the present war.

VI. As the inheritors of property must always take up their bonds in four quarterly payments, or sooner if they choose, there will always be *numéraire* [cash] arriving at the bank after the expiration of the first quarter, to exchange for the bank notes that shall be brought in.

VII. The bank notes being thus put in circulation, upon the best of all possible security, that of actual property, to more than four times the amount of the bonds upon which the notes are issued, and with *numéraire* continually arriving at the bank to exchange or pay them off whenever they shall be presented for that purpose, they will acquire a permanent value in all parts of the Republic. They can therefore be received in payment of taxes, or *emprunts* equal to *numéraire*, because the government can always receive *numéraire* for them at the bank.

VIII. It will be necessary that the payments of the ten per cent. be made in *numéraire* for the first year from the establishment of the plan. But after the expiration of the first year, the inheritors of property may pay ten per cent. either in bank notes issued upon the fund, or in *numéraire*. If the payments be in *numéraire*, it will lie as a deposit at the bank, to be exchanged for a quantity of notes equal to that amount; and if in notes issued upon the fund, it will cause a demand upon the fund, equal thereto; and thus the operation of the plan will create means to carry itself into execution.

THOMAS PAINE.

XXIX.

THE EIGHTEENTH FRUCTIDOR.

To the People of France and the French Armies.[1]

WHEN an extraordinary measure, not warranted by established constitutional rules, and justifiable only on the supreme law of absolute necessity, bursts suddenly upon us, we must, in order to form a true judgment thereon, carry our researches back to the times that preceded and occasioned it. Taking up then the subject with respect to the event of the Eighteenth of Fructidor on this ground, I go to examine the state of things prior to that period. I begin with the establishment of the constitution of the year 3 of the French Republic.

A better *organized* constitution has never yet been devised by human wisdom. It is, in its organization, free from all the vices and defects to which other forms of government are more or less subject. I will speak first of the legislative body, because the Legislature is, in the natural order of things, the first power; the Executive is the first magistrate.

By arranging the legislative body into two divisions, as is done in the French Constitution, the one, (the Council of Five Hundred,) whose part it is to conceive and propose

[1] This pamphlet was written between the defeat of Pichegru's attempt, September 4, 1794, and November 12, of the same year, the date of the *Bien-informé* in which the publication is noticed. General Pichegru (Charles), (1761–1804) having joined a royalist conspiracy against the Republic, was banished to Cayenne (1797), whence he escaped to England; having returned to Paris (1804) he was imprisoned in the Temple, and there found strangled by a silk handkerchief, whether by his own or another's act remaining doubtful.—*Editor.*

laws; the other, a Council of Ancients, to review, approve, or reject the laws proposed; all the security is given that can arise from coolness of reflection acting upon, or correcting the precipitancy or enthusiasm of conception and imagination. It is seldom that our first thought, even upon any subject, is sufficiently just.[1]

The policy of renewing the Legislature by a third part each year, though not entirely new, either in theory or in practice, is nevertheless one of the modern improvements in the science of government. It prevents, on the one hand, that convulsion and precipitate change of measures into which a nation might be surprised by the going out of the whole Legislature at the same time, and the instantaneous election of a new one; on the other hand, it excludes that common interest from taking place that might tempt a whole Legislature, whose term of duration expired at once, to usurp the right of continuance. I go now to speak of the Executive.

It is a principle uncontrovertible by reason, that each of the parts by which government is composed, should be so constructed as to be in perpetual maturity. We should laugh at the idea of a Council of Five Hundred, or a Council of Ancients, or a Parliament, or any national assembly, who should be all children in leading strings and in the cradle, or be all sick, insane, deaf, dumb, lame or blind, at the same time, or be all upon crutches, tottering with age or infirmities. Any form of government that was so constructed as to admit the possibility of such cases happening to a whole Legislature would justly be the ridicule of the world; and on a parity of reasoning, it is equally as ridiculous that the same cases should happen in that part of government which is called the Executive; yet this is the contemptible condition to which an Executive is always subject, and which is often happening, when it is placed in an hereditary individual called a king. When that individual is in either of

[1] For Paine's ideas on the right division of representatives into two chambers, which differ essentially from any bicameral system ever adopted, see vol. ii., p. 444 of this work; also, in the present volume, Chapter XXXIV.—*Editor.*

the cases before mentioned, the whole Executive is in the same case; for himself is the whole. He is then (as an Executive) the ridiculous picture of what a Legislature would be if all its members were in the same case. The one is a whole made up of parts, the other a whole without parts; and anything happening to the one, (as a part or section of the government,) is parallel to the same thing happening to the other.

As, therefore, an hereditary executive called a king is a perfect absurdity in itself, any attachment to it is equally as absurd. It is neither instinct or reason; and if this attachment is what is called royalism in France, then is a royalist inferior in character to every species of the animal world; for what can that being be who acts neither by instinct nor by reason? Such a being merits rather our derision than our pity; and it is only when it assumes to act its folly that it becomes capable of provoking republican indignation. In every other case it is too contemptible to excite anger. For my own part, when I contemplate the self-evident absurdity of the thing, I can scarcely permit myself to believe that there exists in the high-minded nation of France such a mean and silly animal as a royalist.

As it requires but a single glance of thought to see (as is before said) that all the parts of which government is composed must be at all times in a state of full maturity, it was not possible that men acting under the influence of reason, could, in forming a Constitution, admit an hereditary Executive, any more than an hereditary Legislature. I go therefore to examine the other cases.

In the first place, (rejecting the hereditary system,) shall the Executive by election be an *individual* or *a plurality*.

An individual by election is almost as bad as the hereditary system, except that there is always a better chance of not having an idiot. But he will never be any thing more than a chief of a party, and none but those of that party will have access to him. He will have no person to consult with of a standing equal with himself, and consequently be deprived of the advantages arising from equal discussion.

Those whom he admits in consultation will be ministers of his own appointment, who, if they displease by their advice, must expect to be dismissed. The authority also is too great, and the business too complicated, to be intrusted to the ambition or the judgment of an individual; and besides these cases, the sudden change of measures that might follow by the going out of an individual Executive, and the election of a new one, would hold the affairs of a nation in a state of perpetual uncertainty. We come then to the case of a plural Executive.

It must be sufficiently plural, to give opportunity to discuss all the various subjects that in the course of national business may come before it; and yet not so numerous as to endanger the necessary secrecy that certain cases, such as those of war, require.

Establishing, then, plurality as a principle, the only question is, What shall be the number of that plurality?

Three are too few either for the variety or the quantity of business. The Constitution has adopted *five;* and experience has shewn, from the commencement of the Constitution to the time of the election of the new legislative third, that this number of Directors, when well chosen, is sufficient for all national executive purposes; and therefore a greater number would be only an unnecessary expence. That the measures of the Directory during that period were well concerted is proved by their success; and their being well concerted shews they were well discussed; and, therefore, that *five* is a sufficient number with respect to discussion; and, on the other hand, the secret, whenever there was one, (as in the case of the expedition to Ireland,) was well kept, and therefore the number is not too great to endanger the necessary secrecy.

The reason why the two Councils are numerous is not from the necessity of their being so, on account of business, but because that every part of the republic shall find and feel itself in the national representation.

Next to the general principle of government by representation, the excellence of the French Constitution consists

in providing means to prevent that abuse of power that might arise by letting it remain too long in the same hands. This wise precaution pervades every part of the Constitution. Not only the legislature is renewable by a third every year, but the president of each of the Councils is renewable every month; and of the Directory, one member each year, and its president every three months. Those who formed the Constitution cannot be accused of having contrived for themselves. The Constitution, in this respect, is as impartially constructed as if those who framed it were to die as soon as they had finished their work.

The only defect in the Constitution is that of having narrowed the right of suffrage; and it is in a great measure due to this narrowing the right, that the last elections have not generally been good. My former colleagues will, I presume, pardon my saying this to day, when they recollect my arguments against this defect, at the time the Constitution was discussed in the Convention.[1]

I will close this part of the subject by remarking on one of the most vulgar and absurd *sayings* or dogmas that ever yet imposed itself upon the world, which is, "*that a Republic is fit only for a small country, and a Monarchy for a large one.*" Ask those who say this their reasons why it is so, and they can give none.

Let us then examine the case. If the quantity of knowledge in a government ought to be proportioned to the extent of a country, and the magnitude and variety of its affairs, it follows, as an undeniable result, that this absurd dogma is false, and that the reverse of it is true. As to what is called Monarchy, if it be adaptable to any country it can only be so to a small one, whose concerns are few, little complicated, and all within the comprehension of an individual. But when we come to a country of large extent, vast population, and whose affairs are great, numerous, and various, it is the representative republican system only, that can collect into the government the quantity of knowledge necessary to

[1] See Chapters XXIV. and XXV., also the letter prefaced to XXVIII., in this volume.—*Editor*.

govern to the best national advantage. Montesquieu, who was strongly inclined to republican government, sheltered himself under this absurd dogma; for he had always the Bastile before his eyes when he was speaking of Republics, and therefore *pretended* not to write for France. Condorcet governed himself by the same caution, but it was caution only, for no sooner had he the opportunity of speaking fully out than he did it. When I say this of Condorcet, I know it as a fact. In a paper published in Paris, July, 1791, entitled, "*The Republican, or the Defender of Representative Government*," is a piece signed *Thomas Paine*.[1] That piece was concerted between Condorcet and myself. I wrote the original in English, and Condorcet translated it. The object of it was to expose the absurdity and falsehood of the above mentioned dogma.

Having thus concisely glanced at the excellencies of the Constitution, and the superiority of the representative system of government over every other system, (if any other can be called a system,) I come to speak of the circumstances that have intervened between the time the Constitution was established and the event that took place on the 18th of Fructidor of the present year.

Almost as suddenly as the morning light dissipates darkness, did the establishment of the Constitution change the face of affairs in France. Security succeeded to terror, prosperity to distress, plenty to famine, and confidence increased as the days multiplied, until the coming of the new third. A series of victories unequalled in the world, followed each other, almost too rapidly to be counted, and too numerous to be remembered. The Coalition, every where defeated and confounded, crumbled away like a ball of dust in the hand of a giant. Every thing, during that period, was acted on such a mighty scale that reality appeared a dream, and truth outstript romance. It may figuratively be said, that the Rhine and the Rubicon (Germany and Italy) replied in triumphs to each other, and the echoing Alps prolonged the

[1] Chapter II. of this volume. See also my "Life of Paine," vol. i., p. 311.—*Editor.*

shout. I will not here dishonour a great description by noticing too much the English government. It is sufficient to say paradoxically, that in the magnitude of its littleness it cringed, it intrigued, and sought protection in corruption.

Though the achievements of these days might give trophies to a nation and laurels to its heroes, they derive their full radiance of glory from the principle they inspired and the object they accomplished. Desolation, chains, and slavery had marked the progress of former wars, but to conquer for Liberty had never been thought of. To receive the degrading submission of a distressed and subjugated people, and insultingly permit them to live, made the chief triumph of former conquerors; but to receive them with fraternity, to break their chains, to tell them they are free, and teach them to be so, make a new volume in the history of man.

Amidst those national honours, and when only two enemies remained, both of whom had solicited peace, and one of them had signed preliminaries, the election of the new third commenced. Every thing was made easy to them. All difficulties had been conquered before they arrived at the government. They came in the olive days of the revolution, and all they had to do was not to do mischief.

It was, however, not difficult to foresee, that the elections would not be generally good. The horrid days of Robespierre were still remembered, and the gratitude due to those who had put an end to them was forgotten.

Thousands who, by passive approbation during that tremendous scene, had experienced no suffering, assumed the merit of being the loudest against it. Their cowardice in not opposing it, became courage when it was over. They exclaimed against Terrorism as if they had been the heroes that overthrew it, and rendered themselves ridiculous by fantastically overacting moderation. The most noisy of this class, that I have met with, are those who suffered nothing. They became all things, at all times, to all men; till at last they laughed at principle. It was the real republicans who

suffered most during the time of Robespierre. The persecution began upon them on the 31st of May [1793], and ceased only by the exertions of the remnant that survived.

In such a confused state of things as preceded the late elections the public mind was put into a condition of being easily deceived; and it was almost natural that the hypocrite would stand the best chance of being elected into the new third. Had those who, since their election, have thrown the public affairs into confusion by counter-revolutionary measures, declared themselves beforehand, they would have been denounced instead of being chosen. Deception was necessary to their success. The Constitution obtained a full establishment; the revolution was considered as complete; and the war on the eve of termination. In such a situation, the mass of the people, fatigued by a long revolution, sought repose; and in their elections they looked out for quiet men. They unfortunately found hypocrites. Would any of the primary assemblies have voted for a civil war? Certainly they would not. But the electoral assemblies of some departments have chosen men whose measures, since their election, tended to no other end but to provoke it. Either those electors have deceived their constituents of the primary assemblies, or they have been themselves deceived in the choice they made of deputies.

That there were some direct but secret conspirators in the new third can scarcely admit of a doubt; but it is most reasonable to suppose that a great part were seduced by the vanity of thinking they could do better than those whom they succeeded. Instead of trusting to experience, they attempted experiments. This counter-disposition prepared them to fall in with any measures contrary to former measures, and that without seeing, and probably without suspecting, the end to which they led.

No sooner were the members of the new third arrived at the seat of government, than expectation was excited to see how they would act. Their motions were watched by all parties, and it was impossible for them to steal a march unobserved. They had it in their power to do great good, or

great mischief. A firm and manly conduct on their part, uniting with that of the Directory and their colleagues, would have terminated the war. But the moment before them was not the moment of hesitation. He that hesitates in such situation is lost.

The first public act of the Council of Five Hundred was the election of Pichegru to the presidency of that Council. He arrived at it by a very large majority, and the public voice was in his favour. I among the rest was one who rejoiced at it. But if the defection of Pichegru was at that time known to Condé, and consequently to Pitt, it unveils the cause that retarded all negotiations for peace.[1] They interpreted that election into a signal of a counter-revolution, and were waiting for it; and they mistook the respect shown to Pichegru, founded on the supposition of his integrity, as a symptom of national revolt. Judging of things by their own foolish ideas of government, they ascribed appearances to causes between which there was no connection. Every thing on their part has been a comedy of errors, and the actors have been chased from the stage.

Two or three decades of the new sessions passed away without any thing very material taking place; but matters soon began to explain themselves. The first thing that struck the public mind was, that no more was heard of negotiations for peace, and that public business stood still. It was not the object of the conspirators that there should be peace; but as it was necessary to conceal their object, the Constitution was ransacked to find pretences for delays. In vain did the Directory explain to them the state of the finances and the wants of the army. The committee, charged with that business, trifled away its time by a series of unproductive reports, and continued to sit only to produce more. Every thing necessary to be done was neglected, and every thing improper was attempted. Pichegru

[1] Louis Joseph de Bourbon, Prince de Condé (1736–1818), organized the French emigrants on the Rhine into an army which was incorporated with that of Austria but paid by England. He converted Pichegru into a secret partisan of the Bourbons. He ultimately returned to France with Louis XVIII., who made him colonel of infantry and master of the royal household.—*Editor.*

occupied himself about forming a national guard for the Councils—the suspicious signal of war,—Camille Jordan about priests and bells, and the emigrants, with whom he had associated during the two years he was in England.[1] Willot and Delarue attacked the Directory: their object was to displace some one of the directors, to get in another of their own. Their motives with respect to the age of Barras (who is as old as he wishes to be, and has been a little too old for them) were too obvious not to be seen through.[2]

In this suspensive state of things, the public mind, filled with apprehensions, became agitated, and without knowing what it might be, looked for some extraordinary event. It saw, for it could not avoid seeing, that things could not remain long in the state they were in, but it dreaded a convulsion. That spirit of triflingness which it had indulged too freely when in a state of security, and which it is probable the new agents had interpreted into indifference about the success of the Republic, assumed a serious aspect that afforded to conspiracy no hope of aid; but still it went on. It plunged itself into new measures with the same ill success, and the further it went the further the public mind retired. The conspiracy saw nothing around it to give it encouragement.

The obstinacy, however, with which it persevered in its repeated attacks upon the Directory, in framing laws in favour of emigrants and refractory priests, and in every thing inconsistent with the immediate safety of the Republic, and which served to encourage the enemy to prolong the war, admitted of no other direct interpretation than that something was rotten in the Council of Five Hundred. The evidence of circumstances became every day too visible not to be seen, and too strong to be explained away. Even as errors, (to say no worse of them,) they are not entitled to apology; for where knowledge is a duty, ignorance is a crime.

[1] Paine's pamphlet, addressed to Jordan, deals mainly with religious matters, and is reserved for our fourth volume.—*Editor.*

[2] Paul François Jean Nicolas Barras (1755–1829) was President of the Directory at this time, 1797.—*Editor.*

The more serious republicans, who had better opportunities than the generality had, of knowing the state of politics, began to take the alarm, and formed themselves into a Society, by the name of the Constitutional Club. It is the only Society of which I have been a member in France; and I went to this because it was become necessary that the friends of the Republic should rally round the standard of the constitution. I met there several of the original patriots of the revolution; I do not mean of the last order of Jacobins, but of the first of that name. The faction in the Council of Five Hundred, who, finding no counsel from the public, began to be frightened at appearances, fortified itself against the dread of this Society, by passing a law to dissolve it. The constitutionality of the law was at least doubtful: but the Society, that it might not give the example of exasperating matters already too much inflamed, suspended its meetings.

A matter, however, of much greater moment soon after presented itself. It was the march of four regiments, some of whom, in the line of their route, had to pass within about twelve leagues of Paris, which is the boundary the Constitution had fixed as the distance of any armed force from the legislative body. In another state of things, such a circumstance would not have been noticed. But conspiracy is quick of suspicion, and the fear which the faction in the Council of Five Hundred manifested upon this occasion could not have suggested itself to innocent men; neither would innocent men have expostulated with the Directory upon the case, in the manner these men did. The question they urged went to extort from the Directory, and to make known to the enemy, what the destination of the troops was. The leaders of the faction conceived that the troops were marching against them; and the conduct they adopted in consequence of it was sufficient to justify the measure, even if it had been so. From what other motive than the consciousness of their own designs could they have fear? The troops, in every instance, had been the gallant defenders of the Republic, and the openly declared friends of the Con-

stitution; the Directory had been the same, and if the faction were not of a different description neither fear nor suspicion could have had place among them.

All those manœuvres in the Council were acted under the most professional attachment to the Constitution; and this as necessarily served to enfeeble their projects. It is exceedingly difficult, and next to impossible, to conduct a conspiracy, and still more so to give it success, in a popular government. The disguised and feigned pretences which men in such cases are obliged to act in the face of the public, suppress the action of the faculties, and give even to natural courage the features of timidity. They are not half the men they would be where no disguise is necessary. It is impossible to be a hypocrite and to be brave at the same instant.

The faction, by the imprudence of its measures, upon the march of the troops, and upon the declarations of the officers and soldiers to support the Republic and the Constitution against all open or concealed attempts to overturn them, had gotten itself involved with the army, and in effect declared itself a party against it. On the one hand, laws were proposed to admit emigrants and refractory priests as free citizens; and on the other hand to exclude the troops from Paris, and to punish the soldiers who had declared to support the Republic. In the mean time all negociations for peace went backward; and the enemy, still recruiting its forces, rested to take advantage of circumstances. Excepting the absence of hostilities, it was a state worse than war.

If all this was not a conspiracy, it had at least the features of one, and was pregnant with the same mischiefs. The eyes of the faction could not avoid being open to the dangers to which it obstinately exposed the Republic; yet still it persisted. During this scene, the journals devoted to the faction were repeatedly announcing the near approach of peace with Austria and with England, and often asserting that it was concluded. This falsehood could be intended for no other purpose than to keep the eyes of the people shut against the dangers to which they were exposed.

Taking all circumstances together, it was impossible that such a state of things could continue long; and at length it was resolved to bring it to an issue. There is good reason to believe that the affair of the 18th Fructidor (September 4) was intended to have taken place two days before; but on recollecting that it was the 2d of September, a day mournful in the annals of the revolution, it was postponed. When the issue arrived, the faction found to its cost it had no party among the public. It had sought its own disasters, and was left to suffer the consequences. Foreign enemies, as well as those of the interior, if any such there be, ought to see in the event of this day that all expectation of aid from any part of the public in support of a counter revolution is delusion. In a state of security the thoughtless, who trembled at terror, may laugh at principles of Liberty (for they have laughed) but it is one thing to indulge a foolish laugh, quite another thing to surrender Liberty.

Considering the event of the 18th Fructidor in a political light, it is one of those that are justifiable only on the supreme law of absolute necessity, and it is the necessity abstracted from the event that is to be deplored. The event itself is matter of joy. Whether the manœuvres in the Council of Five Hundred were the conspiracy of a few, aided by the perverseness of many, or whether it had a deeper root, the dangers were the same. It was impossible to go on. Every thing was at stake, and all national business at a stand. The case reduced itself to a simple alternative—shall the Republic be destroyed by the darksome manœuvres of a faction, or shall it be preserved by an exceptional act?

During the American Revolution, and that after the State constitutions were established, particular cases arose that rendered it necessary to act in a manner that would have been treasonable in a state of peace. At one time Congress invested General Washington with dictatorial power. At another time the Government of Pennsylvania suspended itself and declared martial law. It was the necessity of the times only that made the apology of those extraordinary measures. But who was it that produced the necessity of

an extraordinary measure in France? A faction, and that in the face of prosperity and success. Its conduct is without apology; and it is on the faction only that the exceptional measure has fallen. The public has suffered no inconvenience. If there are some men more disposed than others not to act severely, I have a right to place myself in that class; the whole of my political life invariably proves it; yet I cannot see, taking all parts of the case together, what else, or what better, could have been done, than has been done. It was a great stroke, applied in a great crisis, that crushed in an instant, and without the loss of a life, all the hopes of the enemy, and restored tranquillity to the interior.

The event was ushered in by the discharge of two cannon at four in the morning, and was the only noise that was heard throughout the day. It naturally excited a movement among the Parisians to enquire the cause. They soon learned it, and the countenance they carried was easy to be interpreted. It was that of a people who, for some time past, had been oppressed with apprehensions of some direful event, and who felt themselves suddenly relieved, by finding what it was. Every one went about his business, or followed his curiosity in quietude. It resembled the cheerful tranquillity of the day when Louis XVI. absconded in 1791, and like that day it served to open the eyes of the nation.

If we take a review of the various events, as well conspiracies as commotions, that have succeeded each other in this revolution, we shall see how the former have wasted consumptively away, and the consequences of the latter have softened. The 31st May and its consequences were terrible. That of the 9th and 10th Thermidor, though glorious for the republic, as it overthrew one of the most horrid and cruel despotisms that ever raged, was nevertheless marked with many circumstances of severe and continued retaliation. The commotions of Germinal and Prairial of the year 3, and of Vendemaire of the year 4, were many degrees below those that preceded them, and affected but a small part of the public. This of Pichegru and his associates has been

crushed in an instant, without the stain of blood, and without involving the public in the least inconvenience.

These events taken in a series, mark the progress of the Republic from disorder to stability. The contrary of this is the case in all parts of the British dominions. There, commotions are on an ascending scale; every one is higher than the former. That of the sailors had nearly been the overthrow of the government. But the most potent of all is the invisible commotion in the Bank. It works with the silence of time, and the certainty of death. Every thing happening in France is curable; but this is beyond the reach of nature or invention.

Leaving the event of the 18th Fructidor to justify itself by the necessity that occasioned it, and glorify itself by the happiness of its consequences, I come to cast a coup-d'œil on the present state of affairs.

We have seen by the lingering condition of the negociations for peace, that nothing was to be expected from them, in the situation that things stood prior to the 18th Fructidor. The armies had done wonders, but those wonders were rendered unproductive by the wretched manœuvres of a faction. New exertions are now necessary to repair the mischiefs which that faction has done. The electoral bodies, in some Departments, who by an injudicious choice, or a corrupt influence, have sent improper deputies to the Legislature, have some atonement to make to their country. The evil originated with them, and the least they can do is to be among the foremost to repair it.

It is, however, in vain to lament an evil that is past. There is neither manhood nor policy in grief; and it often happens that an error in politics, like an error in war, admits of being turned to greater advantage than if it had not occurred. The enemy, encouraged by that error, presumes too much, and becomes doubly foiled by the re-action. England, unable to conquer, has stooped to corrupt; and defeated in the last, as in the first, she is in a worse condition than before. Continually increasing her crimes, she increases the measure of her atonement, and multiplies the sacrifices she

must make to obtain peace. Nothing but the most obstinate stupidity could have induced her to let slip the opportunity when it was within her reach. In addition to the prospect of new expenses, she is now, to use Mr. Pitt's own figurative expression against France, *not only on the brink, but in the gulph of bankruptcy.* There is no longer any mystery in paper money. Call it assignats, mandats, exchequer bills, or bank notes, it is still the same. Time has solved the problem, and experience has fixed its fate.[1]

The government of that unfortunate country discovers its faithlessness so much, that peace on any terms with her is scarcely worth obtaining. Of what use is peace with a government that will employ that peace for no other purpose than to repair, as far as it is possible, her shattered finances and broken credit, and then go to war again? Four times within the last ten years, from the time the American war closed, has the Anglo-germanic government of England been meditating fresh war. First with France on account of Holland, in 1787; afterwards with Russia; then with Spain, on account of Nootka Sound; and a second time against France, to overthrow her revolution. Sometimes that government employs Prussia against Austria; at another time Austria against Prussia; and always one or the other, or both against France. Peace with such a government is only a treacherous cessation of hostilities.

The frequency of wars on the part of England, within the last century, more than before, must have had some cause that did not exist prior to that epoch. It is not difficult to discover what that cause is. It is the mischievous compound of an Elector of the Germanic body and a King of England; and which necessarily must, at some day or other, become an object of attention to France. That one nation has not a right to interfere in the *internal* government of another nation, is admitted; and in this point of view, France has no right to dictate to England what its form of government shall be. If it choose to have a thing called a King, or whether that King shall be a man or an ass, is

[1] See Chapter XXVI. of this volume.—*Editor.*

a matter with which France has no business. But whether an Elector of the Germanic body shall be King of England, is an *external* case, with which France and every other nation, who suffers inconvenience and injury in consequence of it, has a right to interfere.

It is from this mischievous compound of Elector and King, that originates a great part of the troubles that vex the continent of Europe; and with respect to England, it has been the cause of her immense national debt, the ruin of her finances, and the insolvency of her bank. All intrigues on the continent, in which England is a party, or becomes involved, are generated by, and act through, the medium of this Anglo-germanic compound. It will be necessary to dissolve it. Let the Elector retire to his Electorate, and the world will have peace.

England herself has given examples of interference in matters of this kind, and that in cases where injury was only apprehended. She engaged in a long and expensive war against France (called the succession war) to prevent a grandson of Louis the Fourteenth being king of Spain; because, said she, *it will be injurious* to me; and she has been fighting and intriguing against what was called the family-compact ever since. In 1787 she threatened France with war to prevent a connection between France and Holland; and in all her propositions of peace to-day she is dictating separations. But if she look at the Anglo-germanic compact at home, called the Hanover succession, she cannot avoid seeing that France necessarily must, some day or other, take up that subject, and make the return of the Elector to his Electorate one of the conditions of peace. There will be no lasting peace between the two countries till this be done, and the sooner it be done the better will it be for both.

I have not been in any company where this matter has been a topic, that did not see it in the light it is here stated. Even Barthélemy,[1] when he first came to the Directory (and

[1] Marquis de Barthélemy (François) (1750–1830) entered the Directory in June, 1796, through royalist influence. He shared Pichegru's banishment, and subsequently became an agent of Louis XVIII.—*Editor.*

Barthélemy was never famous for patriotism) acknowledged in my hearing, and in company with Derché, Secretary to the Legation at Lille, the connection of an Elector of Germany and a King of England to be injurious to France. I do not, however, mention it from a wish to embarrass the negociation for peace. The Directory has fixed its *ultimatum;* but if that ultimatum be rejected, the obligation to adhere to it is discharged, and a new one may be assumed. So wretchedly has Pitt managed his opportunities, that every succeeding negociation has ended in terms more against him than the former. If the Directory had bribed him, he could not serve his interest better than he does. He serves it as Lord North served that of America, which finished in the discharge of his master.*

Thus far I had written when the negociation at Lille became suspended, in consequence of which I delayed the publication, that the ideas suggested in this letter might not intrude themselves during the interval. The *ultimatum* offered by the Directory, as the terms of peace, was more moderate than the government of England had a right to expect. That government, though the provoker of the war, and the first that committed hostilities by sending away the ambassador Chauvelin,† had formerly talked of demanding from France, *indemnification for the past and security for the*

* The father of Pitt, when a member of the House of Commons, exclaiming one day, during a former war, against the enormous and ruinous expense of German connections, as the offspring of the Hanover succession, and borrowing a metaphor from the story of Prometheus, cried out: "*Thus, like Prometheus, is Britain chained to the barren rock of Hanover, whilst the imperial eagle preys upon her vitals.*"—*Author.*

† It was stipulated in the treaty of commerce between France and England, concluded at Paris, that the sending away an ambassador by either party, should be taken as an act of hostility by the other party. The declaration of war (Feb. [1] 1793) by the Convention, of which I was then a member and know well the case, was made in exact conformity to this article in the treaty; for it was not a declaration of war against England, but a declaration that the French Republic is *in* war with England; the first act of hostility having been committed by England. The declaration was made immediately on Chauvelin's return to France, and in consequence of it. Mr. Pitt should inform himself of things better than he does, before he prates so much about them, or of the sending away of Malmesbury, who was only on a visit of permission.—*Author.*

future. France, in her turn, might have retorted, and demanded the same from England; but she did not. As it was England that, in consequence of her bankruptcy, solicited peace, France offered it to her on the simple condition of her restoring the islands she had taken. The *ultimatum* has been rejected, and the negociation broken off. The spirited part of France will say, *tant mieux*, so much the better.

How the people of England feel on the breaking up of the negociation, which was entirely the act of their own Government, is best known to themselves; but from what I know of the two nations, France ought to hold herself perfectly indifferent about a peace with the Government of England. Every day adds new strength to France and new embarrassments to her enemy. The resources of the one increase, as those of the other become exhausted. England is now reduced to the same system of paper money from which France has emerged, and we all know the inevitable fate of that system. It is not a victory over a few ships, like that on the coast of Holland, that gives the least support or relief to a paper system. On the news of this victory arriving in England, the funds did not rise a farthing. The Government rejoiced, but its creditors were silent.

It is difficult to find a motive, except in folly and madness, for the conduct of the English government. Every calculation and prediction of Mr. Pitt has turned out directly the contrary; yet still he predicts. He predicted, with all the solemn assurance of a magician, that France would be bankrupt in a few months. He was right as to the thing, but wrong as to the place, for the bankruptcy happened in England whilst the words were yet warm upon his lips. To find out what will happen, it is only necessary to know what Mr. Pitt predicts. He is a true prophet if taken in the reverse.

Such is the ruinous condition that England is now in, that great as the difficulties of war are to the people, the difficulties that would accompany peace are equally as great to the Government. Whilst the war continues, Mr. Pitt has a pretence for shutting up the bank. But as that pretence

could last no longer than the war lasted, he dreads the peace that would expose the absolute bankruptcy of the government, and unveil to a deceived nation the ruinous effect of his measures. Peace would be a day of accounts to him, and he shuns it as an insolvent debtor shuns a meeting of his creditors. War furnishes him with many pretences; peace would furnish him with none, and he stands alarmed at its consequences. His conduct in the negociation at Lille can be easily interpreted. It is not for the sake of the nation that he asks to retain some of the taken islands; for what are islands to a nation that has already too many for her own good, or what are they in comparison to the expense of another campaign in the present depreciating state of the English funds? (And even then those islands must be restored.) No, it is not for the sake of the nation that he asks. It is for the sake of himself. It is as if he said to France, Give me some pretence, cover me from disgrace when my day of reckoning comes!

Any person acquainted with the English Government knows that every Minister has some dread of what is called in England the winding up of accounts at the end of a war; that is, the final settlement of all expenses incurred by the war; and no Minister had ever so great cause of dread as Mr. Pitt. A burnt child dreads the fire, and Pitt has had some experience upon this case. The winding up of accounts at the end of the American war was so great, that, though he was not the cause of it, and came into the Ministry with great popularity, he lost it all by undertaking, what was impossible for him to avoid, the voluminous business of the winding up. If such was the case in settling the accounts of his predecessor, how much more has he to apprehend when the accounts to be settled are his own? All men in bad circumstances hate the settlement of accounts, and Pitt, as a Minister, is of that description.

But let us take a view of things on a larger ground than the case of a Minister. It will then be found, that England, on a comparison of strength with France, when both nations are disposed to exert their utmost, has no possible chance

of success. The efforts that England made within the last century were not generated on the ground of *natural ability*, but of *artificial anticipations*. She ran posterity into debt, and swallowed up in one generation the resources of several generations yet to come, till the project can be pursued no longer. It is otherwise in France. The vastness of her territory and her population render the burden easy that would make a bankrupt of a country like England.

It is not the weight of a thing, but the numbers who are to bear that weight, that makes it feel light or heavy to the shoulders of those who bear it. A land-tax of half as much in the pound as the land-tax is in England, will raise nearly four times as much revenue in France as is raised in England. This is a scale easily understood, by which all the other sections of productive revenue can be measured. Judge then of the difference of natural ability.

England is strong in a navy; but that navy costs about eight millions sterling a-year, and is one of the causes that has hastened her bankruptcy. The history of navy bills sufficiently proves this. But strong as England is in this case, the fate of navies must finally be decided by the natural ability of each country to carry its navy to the greatest extent; and France is able to support a navy twice as large as that of England, with less than half the expense per head on the people, which the present navy of England costs.

We all know that a navy cannot be raised as expeditiously as an army. But as the average duration of a navy, taking the decay of time, storms, and all circumstances and accidents together, is less than twenty years, every navy must be renewed within that time; and France at the end of a few years, can create and support a navy of double the extent of that of England; and the conduct of the English government will provoke her to it.

But of what use are navies otherwise than to make or prevent invasions? Commercially considered, they are losses. They scarcely give any protection to the commerce of the countries which have them, compared with the expense of

maintaining them, and they insult the commerce of the nations that are neutral.

During the American war, the plan of the armed neutrality was formed and put in execution: but it was inconvenient, expensive, and ineffectual. This being the case, the problem is, does not commerce contain within itself, the means of its own protection? It certainly does, if the neutral nations will employ that means properly.

Instead then of an *armed neutrality*, the plan should be directly the contrary. It should be an *unarmed neutrality*. In the first place, the rights of neutral nations are easily defined. They are such as are exercised by nations in their intercourse with each other in time of peace, and which ought not, and cannot of right, be interrupted in consequence of war breaking out between any two or more of them.

Taking this as a principle, the next thing is to give it effect. The plan of the armed neutrality was to effect it by threatening war; but an unarmed neutrality can effect it by much easier and more powerful means.

Were the neutral nations to associate, under an honourable injunction of fidelity to each other, and publicly declare to the world, that if any belligerent power shall seize or molest any ship or vessel belonging to the citizens or subjects of any of the powers composing that Association, that the whole Association will shut its ports against the flag of the offending nation, and will not permit any goods, wares, or merchandise, produced or manufactured in the offending nation, or appertaining thereto, to be imported into any of the ports included in the Association, until reparation be made to the injured party,—the reparation to be three times the value of the vessel and cargo,—and moreover that all remittances on money, goods, and bills of exchange, do cease to be made to the offending nation, until the said reparation be made: were the neutral nations only to do this, which it is their direct interest to do, England, as a nation depending on the commerce of neutral nations in time of war, dare not molest them, and France would not. But whilst, from the

want of a common system, they individually permit England to do it, because individually they cannot resist it, they put France under the necessity of doing the same thing. The supreme of all laws, in all cases, is that of self-preservation.

As the commerce of neutral nations would thus be protected by the means that commerce naturally contains within itself, all the naval operations of France and England would be confined within the circle of acting against each other: and in that case it needs no spirit of prophecy to discover that France must finally prevail. The sooner this be done, the better will it be for both nations, and for all the world.

THOMAS PAINE.[1]

[1] Paine had already prepared his "Maritime Compact," and devised the Rainbow Flag, which was to protect commerce, the substance and history of which constitutes his Seventh Letter to the People of the United States, Chapter XXXIII. of the present volume. He sent the articles of his proposed international Association to the Minister of Foreign Relations, Talleyrand, who responded with a cordial letter. The articles of "Maritime Compact," translated into French by Nicolas Bouneville, were, in 1800, sent to all the Ministers of Foreign Affairs in Europe, and to the ambassadors in Paris.—*Editor.*

XXX.

THE RECALL OF MONROE.[1]

PARIS, Sept. 27, 1797.

Editors of the *Bien-informé*.

CITIZENS: in your 19th number of the complementary 5th, you gave an analysis of the letters of James Monroe to Timothy Pickering. The newspapers of Paris and the departments have copied this correspondence between the am-

[1] Monroe, like Edmund Randolph and Thomas Paine, was sacrificed to the new commercial alliance with Great Britain. The Cabinet of Washington were entirely hostile to France, and in their determination to replace Monroe were assisted by Gouverneur Morris, still in Europe, who wrote to President Washington calumnies against that Minister. In a letter of December 19, 1795, Morris tells Washington that he had heard from a trusted informant that Monroe had said to several Frenchmen that "he had no doubt but that, if they would do what was proper here, he and his friends would turn out Washington." On July 2, 1796, the Cabinet ministers, Pickering, Wolcott, and McHenry, wrote to the President their joint opinion that the interests of the United States required Monroe's recall, and slanderously connected him with anonymous letters from France written by M. Montflorence. The recall, dated August 22, 1796, reached Monroe early in November. It alluded to certain "concurring circumstances," which induced his removal, and these "hidden causes" (in Paine's phrase) Monroe vainly demanded on his return to America early in 1797. The Directory, on notification of Monroe's recall, resolved not to recognize his successor, and the only approach to an American Minister in Paris for the remainder of the century was Thomas Paine, who was consulted by the Foreign Ministers, De la Croix and Talleyrand, and by Napoleon. On the approach of C. C. Pinckney, as successor to Monroe, Paine feared that his dismissal might entail war, and urged the Minister (De la Croix) to regard Pinckney,—nominated in a recess of the Senate,—as in "suspension" until confirmed by that body. There might be unofficial "*pourparlers*" with him. This letter (State Archives, Paris, États Unis, vol. 46, fol. 425) was considered for several days before Pinckney reached Paris (December 5, 1796), but the Directory considered that it was not a "dignified" course, and Pinckney was ordered to leave French territory, under the existing decree against foreigners who had no permit to remain.—*Editor*.

bassador of the United States and the Secretary of State. I notice, however, that a few of them have omitted some important facts, whilst indulging in comments of such an extraordinary nature that it is clear they know neither Monroe's integrity nor the intrigues of Pitt in this affair.

The recall of Monroe is connected with circumstances so important to the interests of France and the United States, that we must be careful not to confound it with the recall of an ordinary individual. The Washington faction had affected to spread it abroad that James Monroe was the cause of rupture between the two Republics. This accusation is a perfidious and calumnious one; since the main point in this affair is not so much the recall of a worthy, enlightened and republican minister, as the ingratitude and clandestine manœuvering of the government of Washington, who caused the misunderstanding by signing a treaty injurious to the French Republic.

James Monroe, in his letters, does not deny the right of government to withdraw its confidence from any one of its delegates, representatives, or agents. He has hinted, it is true, that caprice and temper are not in accordance with the spirit of paternal rule, and that whenever a representative government punishes or rewards, good faith, integrity and justice should replace *the good pleasure of Kings.*

In the present case, they have done more than recall an agent. Had they confined themselves to depriving him of his appointment, James Monroe would have kept silence; but he has been accused of lighting the torch of discord in both Republics. The refutation of this absurd and infamous reproach is the chief object of his correspondence. If he did not immediately complain of these slanders in his letters of the 6th and 8th [July], it is because he wished to use at first a certain degree of caution, and, if it were possible, to stifle intestine troubles at their birth. He wished to reopen the way to peaceful negotiations to be conducted with good faith and justice.

The arguments of the Secretary of State on the rights of the supreme administration of the United States are peremp-

tory; but the observations of Monroe on the hidden causes of his recall are touching; they come from the heart; they are characteristic of an excellent citizen. If he does more than complain of his unjust recall as a man of feeling would; if he proudly asks for proofs of a grave accusation, it is after he has tried in vain every honest and straightforward means. He will not suffer that a government, sold to the enemies of freedom, should discharge upon him its shame, its crimes, its ingratitude, and all the odium of its unjust dealings.

Were Monroe to find himself an object of public hatred, the Republican party in the United States, that party which is the sincere ally of France, would be annihilated, and this is the aim of the English government.

Imagine the triumph of Pitt, if Monroe and the other friends of freedom in America, should be unjustly attacked in France!

Monroe does not lay his cause before the Senate since the Senate itself ratified the unconstitutional treaty; he appeals to the house of Representatives, and at the same time lays his cause before the upright tribunal of the American nation.

XXXI.

PRIVATE LETTER TO PRESIDENT JEFFERSON.

PARIS, October 1, 1800.

DEAR SIR,—I wrote to you from Havre by the ship Dublin Packet in the year 1797. It was then my intention to return to America; but there were so many British frigates cruising in sight of the port, and which after a few days knew that I was at Havre waiting to go to America, that I did not think it best to trust myself to their discretion, and the more so, as I had no confidence in the captain of the Dublin Packet (Clay).[1] I mentioned to you in that letter, which I believe you received thro' the hands of Colonel [Aaron] Burr, that I was glad since you were not President that you had accepted the nomination of Vice President.

The Commissioners Ellsworth & Co.[2] have been here about eight months, and three more useless mortals never came upon public business. Their presence appears to me to have been rather an injury than a benefit. They set themselves up for a faction as soon as they arrived. I was then in Belgia.[3] Upon my return to Paris I learnt they had made a point of not returning the visits of Mr. Skipwith and Barlow, because, they said, they had not the confidence of the executive. Every known republican was treated in the same manner. I learned from Mr. Miller of Philadelphia,

[1] The packet was indeed searched for Paine by a British cruiser.—*Editor.*

[2] Oliver Ellsworth (Chief Justice), W. V. Murray, and W. R. Davie, were sent by President Adams to France to negotiate a treaty. In this they failed, but a convention was signed September 30, 1800, which terminated the treaty of 1778, which had become a source of discord, and prepared the way for the negotiations of Livingston and Monroe in 1803.—*Editor.*

[3] Paine had visited his room-mate in Luxembourg prison, Vanhuele, who was now Mayor of Bruges.—*Editor.*

who had occasion to see them upon business, that they did not intend to return my visit, if I made one. This, I supposed, it was intended I should know, that I might not make one. It had the contrary effect. I went to see Mr. Ellsworth. I told him, I did not come to see him as a commissioner, nor to congratulate him upon his mission; that I came to see him because I had formerly known him in Congress. "I mean not," said I, "to press you with any questions, or to engage you in any conversation upon the business you are come upon, but I will nevertheless candidly say that I know not what expectations the Government or the people of America may have of your mission, or what expectations you may have yourselves, but I believe you will find you can do but little. The treaty with England lies at the threshold of all your business. The American Government never did two more foolish things than when it signed that Treaty and recalled Mr. Monroe, who was the only man could do them any service." Mr. Ellsworth put on the dull gravity of a Judge, and was silent. I added, "You may perhaps make a treaty like that you have made with England, which is a surrender of the rights of the American flag; for the principle that neutral ships make neutral property must be general or not at all." I then changed the subject, for I had all the talk to myself upon this topic, and enquired after Samuel Adams, (I asked nothing about John,) Mr. Jefferson, Mr. Monroe, and others of my friends; and the melancholy case of the yellow fever,—of which he gave me as circumstantial an account as if he had been summing up a case to a Jury. Here my visit ended, and had Mr. Ellsworth been as cunning as a statesman, or as wise as a Judge, he would have returned my visit that he might appear insensible of the intention of mine.

I now come to the affairs of this country and of Europe. You will, I suppose, have heard before this arrives to you, of the battle of Marengo in Italy, where the Austrians were defeated—of the armistice in consequence thereof, and the surrender of Milan, Genoa etc. to the french—of the successes of the french Army in Germany—and the extension of the armistice in that quarter—of the preliminaries of

Peace signed at Paris—of the refusal of the Emperor [of Austria] to ratify these preliminaries—of the breaking of the armistice by the french Government in consequence of that refusal—of the "gallant" expedition of the Emperor to put himself at the head of his Army—of his pompous arrival there—of his having made his will—of prayers being put in all his churches for the preservation of the life of this Hero —of General Moreau announcing to him, immediately on his arrival at the Army, that hostilities would commence the day after the next at sunrise unless he signed the treaty or gave security that he would sign within 45 days—of his surrendering up three of the principal keys of Germany (Ulm, Philipsbourg, and Ingolstadt) as security that he would sign them. This is the state things are now in, at the time of writing this letter; but it is proper to add that the refusal of the Emperor to sign the preliminaries was motived upon a note from the King of England to be admitted to the Congress for negociating Peace, which was consented to by the french upon the condition of an armistice at Sea, which England, before knowing of the surrender the Emperor had made, had refused. From all which it appears to me, judging from circumstances, that the Emperor is now so compleatly in the hands of the french, that he has no way of getting out but by a peace. The Congress for the peace is to be held at Lunéville, a town in France. Since the affair of Rastadt the French commissioners will not trust themselves within the Emperor's territory.

I now come to domestic Affairs. I know not what the Commissioners have done, but from a paper I enclose to you, which appears to have some authority, it is not much. The paper as you will perceive is considerably prior to this letter. I know that the Commissioners before this piece appeared intended setting off. It is therefore probable that what they have done is conformable to what this paper mentions, which certainly will not atone for the expence their mission has incurred, neither are they, by all the accounts I hear of them, men fitted for the business.

But independently of these matters there appears to be

a state of circumstances rising, which if it goes on, will render all partial treaties unnecessary. In the first place I doubt if any peace will be made with England; and in the second place, I should not wonder to see a coalition formed against her, to compel her to abandon her insolence on the seas. This brings me to speak of the manuscripts I send you.

The piece No. 1, without any title, was written in consequence of a question put to me by Bonaparte. As he supposed I knew England and English Politics he sent a person to me to ask, that in case of negociating a Peace with Austria, whether it would be proper to include England. This was when Count St. Julian was in Paris, on the part of the Emperor negociating the preliminaries:—which as I have before said the Emperor refused to sign on the pretence of admitting England.

The piece No. 2, entitled *On the Jacobinism of the English at sea*, was written when the English made their insolent and impolitic expedition to Denmark, and is also an auxiliary to the politic of No. 1. I shewed it to a friend [Bonneville] who had it translated into french, and printed in the form of a Pamphlet, and distributed gratis among the foreign Ministers, and persons in the Government. It was immediately copied into several of the french Journals, and into the official Paper, the Moniteur. It appeared in this paper one day before the last dispatch arrived from Egypt; which agreed perfectly with what I had said respecting Egypt. It hit the two cases of Denmark and Egypt in the exact proper moment.

The Piece No. 3, entitled *Compact Maritime*, is the sequel of No. 2, digested in form. It is translating at the time I write this letter, and I am to have a meeting with the Senator Garat upon the subject. The pieces 2 and 3 go off in manuscript to England, by a confidential person, where they will be published.[1]

By all the news we get from the North there appears to

[1] The substance of most of these "pieces" are embodied in Paine's Seventh Letter to the People of the United States (*infra* p. 420).—*Editor*.

be something meditating against England. It is now given for certain that Paul has embargoed all the English vessels and English property in Russia till some principle be established for protecting the Rights of neutral Nations, and securing the liberty of the Seas. The preparations in Denmark continue, notwithstanding the convention that she has made with England, which leaves the question with respect to the right set up by England to stop and search Neutral vessels undecided. I send you the paragraphs upon the subject.

The tumults are great in all parts of England on account of the excessive price of corn and bread, which has risen since the harvest. I attribute it more to the abundant increase of paper, and the non-circulation of cash, than to any other cause. People in trade can push the paper off as fast as they receive it, as they did by continental money in America; but as farmers have not this opportunity, they endeavor to secure themselves by going considerably in advance.

I have now given you all the great articles of intelligence, for I trouble not myself with little ones, and consequently not with the Commissioners, nor any thing they are about, nor with John Adams, otherwise than to wish him safe home, and a better and wiser man in his place.

In the present state of circumstances and the prospects arising from them, it may be proper for America to consider whether it is worth her while to enter into any treaty at this moment, or to wait the event of those circumstances which if they go on will render partial treaties useless by deranging them. But if, in the mean time, she enters into any treaty it ought to be with a condition to the following purpose: Reserving to herself the right of joining in an Association of Nations for the protection of the Rights of Neutral Commerce and the security of the liberty of the Seas.

The pieces 2, 3, may go to the press. They will make a small pamphlet and the printers are welcome to put my name to it. (It is best it should be put.) From thence they will get into the newspapers. I know that the faction of John Adams abuses me pretty heartily. They are welcome.

It does not disturb me, and they lose their labour; and in return for it I am doing America more service, as a neutral Nation, than their expensive Commissioners can do, and she has that service from me for nothing. The piece No. 1 is only for your own amusement and that of your friends.

I come now to speak confidentially to you on a private subject. When Mr. Ellsworth and Davie return to America, Murray will return to Holland, and in that case there will be nobody in Paris but Mr. Skipwith that has been in the habit of transacting business with the french Government since the revolution began. He is on a good standing with them, and if the chance of the day should place you in the presidency you cannot do better than appoint him for any purpose you may have occasion for in France. He is an honest man and will do his country justice, and that with civility and good manners to the government he is commissioned to act with; a faculty which that Northern Bear Timothy Pickering wanted, and which the Bear of that Bear, John Adams, never possessed.

I know not much of Mr. Murray, otherwise than of his unfriendliness to every American who is not of his faction, but I am sure that Joel Barlow is a much fitter man to be in Holland than Mr. Murray. It is upon the fitness of the man to the place that I speak, for I have not communicated a thought upon the subject to Barlow, neither does he know, at the time of my writing this (for he is at Havre), that I have intention to do it.

I will now, by way of relief, amuse you with some account of the progress of iron bridges.

[*Here follows an account of the building of the iron bridge at Sunderland, England, and some correspondence with Mr. Milbanke, M. P., which will be given more fully and precisely in a chapter of vol. IV. (Appendix), on Iron Bridges, and is therefore omitted here.*]

I have now made two other Models [of bridges]. One is pasteboard, five feet span and five inches of height from the cords. It is in the opinion of every person who has seen it one of the most beautiful objects the eye can behold. I

then cast a model in metal following the construction of that in paste-board and of the same dimensions. The whole was executed in my own Chamber. It is far superior in strength, elegance, and readiness in execution to the model I made in America, and which you saw in Paris.[1] I shall bring those models with me when I come home, which will be as soon as I can pass the seas in safety from the piratical John Bulls.

I suppose you have seen, or have heard of the Bishop of Landaff's answer to my second part of the Age of Reason. As soon as I got a copy of it I began a third part, which served also as an answer to the Bishop; but as soon as the clerical society for promoting *Christian Knowledge* knew of my intention to answer the Bishop, they prosecuted, as a Society, the printer of the first and second parts, to prevent that answer appearing. No other reason than this can be assigned for their prosecuting at the time they did, because the first part had been in circulation above three years and the second part more than one, and they prosecuted immediately on knowing that I was taking up their Champion. The Bishop's answer, like Mr. Burke's attack on the french revolution, served me as a back-ground to bring forward other subjects upon, with more advantage than if the back-ground was not there. This is the motive that induced me to answer him, otherwise I should have gone on without taking any notice of him. I have made and am still making additions to the manuscript, and shall continue to do so till an opportunity arrive for publishing it.

[1] "These models exhibit an extraordinary degree not only of skill, but of taste, and are wrought with extreme delicacy entirely by his own hands. The largest is nearly four feet in length; the iron-works, the chains, and every other article belonging to it, were forged and manufactured by himself. It is intended as the model of a bridge which is to be constructed across the Delaware, extending 480 feet, with only one arch. The other is to be erected over a lesser river, whose name I forget, and is likewise a single arch, and of his own workmanship, excepting the chains, which, instead of iron, are cut out of paste-board by the fair hand of his correspondent, the 'Little Corner of the World' (Lady Smyth), whose indefatigable perseverance is extraordinary. He was offered £3000 for these models and refused it."—Yorke's *Letters from France*. These models excited much admiration in Washington and Philadelphia. They remained for a long time in Peale's Museum at Philadelphia, but no trace is left of them.—*Editor.*

If any American frigate should come to france, and the direction of it fall to you, I will be glad you would give me the opportunity of returning. The abscess under which I suffered almost two years is entirely healed of itself, and I enjoy exceeding good health. This is the first of October, and Mr. Skipwith has just called to tell me the Commissioners set off for Havre to-morrow. This will go by the frigate but not with the knowledge of the Commissioners. Remember me with much affection to my friends and accept the same to yourself.

THOMAS PAINE.

XXXII.

PROPOSAL THAT LOUISIANA BE PURCHASED.[1]

(SENT TO THE PRESIDENT, CHRISTMAS DAY, 1802.)

SPAIN has ceded Louisiana to France, and France has excluded Americans from New Orleans, and the navigation of the Mississippi. The people of the Western Territory have complained of it to their Government, and the Government is of consequence involved and interested in the affair. The question then is—What is the best step to be taken?

The one is to begin by memorial and remonstrance against an infraction of a right. The other is by accommodation,—still keeping the right in view, but not making it a groundwork.

Suppose then the Government begin by making a proposal to France to re-purchase the cession made to her by Spain, of Louisiana, provided it be with the consent of the people of Louisiana, or a majority thereof.

By beginning on this ground any thing can be said without carrying the appearance of a threat. The growing power of the Western Territory can be stated as a matter of information, and also the impossibility of restraining them from seizing upon New Orleans, and the equal impossibility of France to prevent it.

Suppose the proposal attended to, the sum to be given comes next on the carpet. This, on the part of America,

[1] Paine, being at Lovell's Hotel, Washington, suggested the purchase of Louisiana to Dr. Michael Leib, representative from Pennsylvania, who, being pleased with the idea, suggested that he should write it to Jefferson. On the day after its reception the President told Paine that "measures were already taken in that business."—*Editor*.

will be estimated between the value of the commerce and the quantity of revenue that Louisiana will produce.

The French Treasury is not only empty, but the Government has consumed by anticipation a great part of the next year's revenue. A monied proposal will, I believe, be attended to; if it should, the claims upon France can be stipulated as part of the payment, and that sum can be paid here to the claimants.

—— I congratulate you on *The Birthday of the New Sun*, now called Christmas Day; and I make you a present of a thought on Louisiana.

T. P.

XXXIII.

THOMAS PAINE TO THE CITIZENS OF THE UNITED STATES,

And particularly to the Leaders of the Fœderal Faction.

LETTER I.[1]

AFTER an absence of almost fifteen years, I am again returned to the country in whose dangers I bore my share, and to whose greatness I contributed my part.

When I sailed for Europe, in the spring of 1787, it was my intention to return to America the next year, and enjoy in retirement the esteem of my friends, and the repose I was entitled to. I had stood out the storm of one revolution, and had no wish to embark in another. But other scenes and other circumstances than those of contemplated ease were allotted to me. The French revolution was beginning to germinate when I arrived in France. The principles of it were good, they were copied from America, and the men who conducted it were honest. But the fury of faction soon extinguished the one, and sent the other to the scaffold. Of those who began that revolution, I am almost the only survivor, and that through a thousand dangers. I owe this not to the prayers of priests, nor to the piety of hypocrites, but to the continued protection of Providence.

But while I beheld with pleasure the dawn of liberty rising

[1] *The National Intelligencer*, November 15th. The venerable Mr. Gales, so long associated with this paper, had been in youth a prosecuted adherent of Paine in Sheffield, England. The paper distinguished itself by the kindly welcome it gave Paine on his return to America. (See issues of Nov. 3 and 10, 1802.) Paine landed at Baltimore, Oct. 30th.—*Editor.*

in Europe, I saw with regret the lustre of it fading in America. In less than two years from the time of my departure some distant symptoms painfully suggested the idea that the principles of the revolution were expiring on the soil that produced them. I received at that time a letter from a female literary correspondent, and in my answer to her, I expressed my fears on that head.[1]

I now know from the information I obtain upon the spot, that the impressions that then distressed me, for I was proud of America, were but too well founded. She was turning her back on her own glory, and making hasty strides in the retrograde path of oblivion. But a spark from the altar of *Seventy-six*, unextinguished and unextinguishable through the long night of error, is again lighting up, in every part of the Union, the genuine name of rational liberty.

As the French revolution advanced, it fixed the attention of the world, and drew from the pensioned pen[2] of Edmund Burke a furious attack. This brought me once more on the public theatre of politics, and occasioned the pamphlet *Rights of Man*. It had the greatest run of any work ever published in the English language. The number of copies circulated in England, Scotland, and Ireland, besides translations into foreign languages, was between four and five hundred thousand. The principles of that work were the same as those in *Common Sense*, and the effects would have been the same in England as that had produced in America, could the vote of the nation been quietly taken, or had equal opportunities of consulting or acting existed. The only difference between the two works was, that the one was adapted to the local circumstances of England, and the other to those of America. As to myself, I acted in both cases alike; I relinquished to the people of England, as I had done to those of America, all profits from the work. My reward existed in the ambition to do good, and the independent happiness of my own mind.

[1] Paine here quotes a passage from his letter to Mrs. Few, already given in the Memorial to Monroe (XXI.). The entire letter to Mrs. Few will be printed in the Appendix to Vol. IV. of this work.—*Editor*.

[2] See editorial note p. 95 in this volume.—*Editor*.

But a faction, acting in disguise, was rising in America; they had lost sight of first principles. They were beginning to contemplate government as a profitable monopoly, and the people as hereditary property. It is, therefore, no wonder that the *Rights of Man* was attacked by that faction, and its author continually abused. But let them go on; give them rope enough and they will put an end to their own insignificance. There is too much common sense and independence in America to be long the dupe of any faction, foreign or domestic.

But, in the midst of the freedom we enjoy, the licentiousness of the papers called Federal, (and I know not why they are called so, for they are in their principles anti-federal and despotic,) is a dishonour to the character of the country, and an injury to its reputation and importance abroad. They represent the whole people of America as destitute of public principle and private manners. As to any injury they can do at home to those whom they abuse, or service they can render to those who employ them, it is to be set down to the account of noisy nothingness. It is on themselves the disgrace recoils, for the reflection easily presents itself to every thinking mind, that *those who abuse liberty when they possess it would abuse power could they obtain it;* and, therefore, they may as well take as a general motto, for all such papers, *We and our patrons are not fit to be trusted with power.*

There is in America, more than in any other country, a large body of people who attend quietly to their farms, or follow their several occupations; who pay no regard to the clamours of anonymous scribblers, who think for themselves, and judge of government, not by the fury of newspaper writers, but by the prudent frugality of its measures, and the encouragement it gives to the improvement and prosperity of the country; and who, acting on their own judgment, never come forward in an election but on some important occasion. When this body moves, all the little barkings of scribbling and witless curs pass for nothing. To say to this independent description of men, "You must turn out such and

such persons at the next election, for they have taken off a great many taxes, and lessened the expenses of government, they have dismissed my son, or my brother, or myself, from a lucrative office, in which there was nothing to do "—is to show the cloven foot of faction, and preach the language of ill-disguised mortification. In every part of the Union, this faction is in the agonies of death, and in proportion as its fate approaches, gnashes its teeth and struggles. My arrival has struck it as with an hydrophobia, it is like the sight of water to canine madness.

As this letter is intended to announce my arrival to my friends, and to my enemies if I have any, for I ought to have none in America, and as introductory to others that will occasionally follow, I shall close it by detailing the line of conduct I shall pursue.

I have no occasion to ask, and do not intend to accept, any place or office in the government.[1] There is none it could give me that would be any ways equal to the profits I could make as an author, for I have an established fame in the literary world, could I reconcile it to my principles to make money by my politics or religion. I must be in every thing what I have ever been, a disinterested volunteer; my proper sphere of action is on the common floor of citizenship, and to honest men I give my hand and my heart freely.

I have some manuscript works to publish, of which I shall give proper notice, and some mechanical affairs to bring forward, that will employ all my leisure time. I shall continue these letters as I see occasion, and as to the low party prints that choose to abuse me, they are welcome; I shall not descend to answer them. I have been too much used to such common stuff to take any notice of it. The government of England honoured me with a thousand martyrdoms, by burning me in effigy in every town in that country, and their hirelings in America may do the same.

THOMAS PAINE.

CITY OF WASHINGTON.

[1] The President (Jefferson) being an intimate friend of Paine, and suspected, despite his reticence, of sympathizing with Paine's religious views, was included in the denunciations of Paine ("The Two Toms" they were called), and Paine here goes out of his way to soften matters for Jefferson.—*Editor.*

LETTER II.[1]

As the affairs of the country to which I am returned are of more importance to the world, and to me, than of that I have lately left, (for it is through the new world the old must be regenerated, if regenerated at all,) I shall not take up the time of the reader with an account of scenes that have passed in France, many of which are painful to remember and horrid to relate, but come at once to the circumstances in which I find America on my arrival.

Fourteen years, and something more, have produced a change, at least among a part of the people, and I ask myself what it is? I meet or hear of thousands of my former connexions, who are men of the same principles and friendships as when I left them. But a non-descript race, and of equivocal generation, assuming the name of *Federalist*,—a name that describes no character of principle good or bad, and may equally be applied to either,—has since started up with the rapidity of a mushroom, and like a mushroom is withering on its rootless stalk. Are those men *federalized* to support the liberties of their country or to overturn them? To add to its fair fame or riot on its spoils? The name contains no defined idea. It is like John Adams's definition of a Republic, in his letter to Mr. Wythe of Virginia.[2] *It is*, says he, *an empire of laws and not of men.* But as laws may be bad as well as good, an empire of laws may be the best of all governments or the worst of all tyrannies. But John Adams is a man of paradoxical heresies, and consequently of a bewildered mind. He wrote a book entitled, "*A Defence of the American Constitutions*," and the principles of it are an attack upon them. But the book is descended to the tomb of forgetfulness, and the best fortune that can attend its author is quietly to follow its fate. John was not born for immortality. But, to return to Federalism.

In the history of parties and the names they assume, it often happens that they finish by the direct contrary prin-

[1] *National Intelligencer*, Nov. 22d, 1802.—*Editor.*

[2] Chancellor Wythe, 1728–1806.—*Editor.*

ciples with which they profess to begin, and thus it has happened with Federalism.

During the time of the old Congress, and prior to the establishment of the federal government, the continental belt was too loosely buckled. The several states were united in name but not in fact, and that nominal union had neither centre nor circle. The laws of one state frequently interferred with, and sometimes opposed, those of another. Commerce between state and state was without protection, and confidence without a point to rest on. The condition the country was then in, was aptly described by Pelatiah Webster, when he said, "*thirteen staves and ne'er a hoop will not make a barrel.*"[1]

If, then, by *Federalist* is to be understood one who was for cementing the Union by a general government operating equally over all the States, in all matters that embraced the common interest, and to which the authority of the States severally was not adequate, for no one State can make laws to bind another; if, I say, by a *Federalist* is meant a person of this description, (and this is the origin of the name,) *I ought to stand first on the list of Federalists*, for the proposition for establishing a general government over the Union, came originally from me in 1783, in a written Memorial to Chancellor Livingston, then Secretary for Foreign Affairs to Congress, Robert Morris, Minister of Finance, and his associate, Gouverneur Morris, all of whom are now living; and we had a dinner and conference at Robert Morris's on the subject. The occasion was as follows:

Congress had proposed a duty of five per cent. on imported articles, the money to be applied as a fund towards paying the interest of loans to be borrowed in Holland. The resolve was sent to the several States to be enacted into a law. Rhode Island absolutely refused. I was at the trouble of a journey to Rhode Island to reason with them on the subject.[2] Some other of the States enacted it with

[1] "Like a stave in a cask well bound with hoops, it [the individual State] stands firmer, is not so easily shaken, bent, or broken, as it would be were it set up by itself alone."—*Pelatiah Webster*, 1788. See Paul L. Ford's *Pamphlets on the Constitution*, etc., p. 128.—*Editor.*

[2] See my "Life of Paine," vol. i., p. 193.—*Editor.*

alterations, each one as it pleased. Virginia adopted it, and afterwards repealed it, and the affair came to nothing.

It was then visible, at least to me, that either Congress must frame the laws necessary for the Union, and send them to the several States to be enregistered without any alteration, which would in itself appear like usurpation on one part and passive obedience on the other, or some method must be devised to accomplish the same end by constitutional principles; and the proposition I made in the memorial was, to *add a continental legislature to Congress, to be elected by the several States.* The proposition met the full approbation of the gentlemen to whom it was addressed, and the conversation turned on the manner of bringing it forward. Gouverneur Morris, in walking with me after dinner, wished me to throw out the idea in the newspaper; I replied, that I did not like to be always the proposer of new things, that it would have too assuming an appearance; and besides, that *I did not think the country was quite wrong enough to be put right.* I remember giving the same reason to Dr. Rush, at Philadelphia, and to General Gates, at whose quarters I spent a day on my return from Rhode Island; and I suppose they will remember it, because the observation seemed to strike them.[1]

But the embarrassments increasing, as they necessarily must from the want of a better cemented union, the State of Virginia proposed holding a commercial convention, and that convention, which was not sufficiently numerous, proposed that another convention, with more extensive and better defined powers, should be held at Philadelphia, May 10, 1787.

When the plan of the Federal Government, formed by this Convention, was proposed and submitted to the consideration of the several States, it was strongly objected to in each of them. But the objections were not on anti-federal

[1] The Letter Books of Robert Morris (16 folio volumes, which should be in our national Archives) contain many entries relating to Paine's activity in the public service. Under date Aug. 21, 1783, about the time referred to by Paine in this letter, Robert Morris mentions a conversation with him on public affairs. I am indebted to General Meredith Read, owner of these Morris papers, for permission to examine them.—*Editor.*

grounds, but on constitutional points. Many were shocked at the idea of placing what is called Executive Power in the hands of a single individual. To them it had too much the form and appearance of a military government, or a despotic one. Others objected that the powers given to a president were too great, and that in the hands of an ambitious and designing man it might grow into tyranny, as it did in England under Oliver Cromwell, and as it has since done in France. A Republic must not only be so in its principles, but in its forms. The Executive part of the Federal government was made for a man, and those who consented, against their judgment, to place Executive Power in the hands of a single individual, reposed more on the supposed moderation of the person they had in view, than on the wisdom of the measure itself.

Two considerations, however, overcame all objections. The one was, the absolute necessity of a Federal Government. The other, the rational reflection, that as government in America is founded on the representative system any error in the first essay could be reformed by the same quiet and rational process by which the Constitution was formed, and that either by the generation then living, or by those who were to succeed. If ever America lose sight of this principle, she will no longer be the *land of liberty*. The father will become the assassin of the rights of the son, and his descendants be a race of slaves.

As many thousands who were minors are grown up to manhood since the name of *Federalist* began, it became necessary, for their information, to go back and show the origin of the name, which is now no longer what it originally was; but it was the more necessary to do this, in order to bring forward, in the open face of day, the apostacy of those who first called themselves Federalists.

To them it served as a cloak for treason, a mask for tyranny. Scarcely were they placed in the seat of power and office, than Federalism was to be destroyed, and the representative system of government, the pride and glory of America, and the palladium of her liberties, was to be over-

thrown and abolished. The next generation was not to be free. The son was to bend his neck beneath the father's foot, and live, deprived of his rights, under hereditary control. Among the men of this apostate description, is to be ranked the ex-president *John Adams*. It has been the political career of this man to begin with hypocrisy, proceed with arrogance, and finish in contempt. May such be the fate of all such characters.

I have had doubts of John Adams ever since the year 1776. In a conversation with me at that time, concerning the pamphlet *Common Sense*, he censured it because it attacked the English form of government. John was for independence because he expected to be made great by it; but it was not difficult to perceive, for the surliness of his temper makes him an awkward hypocrite, that his head was as full of kings, queens, and knaves, as a pack of cards. But John has lost deal.

When a man has a concealed project in his brain that he wants to bring forward, and fears will not succeed, he begins with it as physicians do by suspected poison, try it first on an animal; if it agree with the stomach of the animal, he makes further experiments, and this was the way John took. His brain was teeming with projects to overturn the liberties of America, and the representative system of government, and he began by hinting it in little companies. The secretary of John Jay, an excellent painter and a poor politician, told me, in presence of another American, Daniel Parker, that in a company where himself was present, John Adams talked of making the government hereditary, and that as Mr. Washington had no children, it should be made hereditary in the family of Lund Washington.[1] John had not impudence enough to propose himself in the first instance, as the old French Normandy baron did, who offered to come over to be king of America, and if Congress did not accept his offer, that they would give him thirty thousand pounds for the generosity of it[2]; but John, like a mole, was

[1] See *supra* footnote on p. 218.—*Editor*.

[2] See vol. ii. p. 318 of this work.—*Editor*.

grubbing his way to it under ground. He knew that Lund Washington was unknown, for nobody had heard of him, and that as the president had no children to succeed him, the vice-president had, and if the treason had succeeded, and the hint with it, the goldsmith might be sent for to take measure of the head of John or of his son for a golden wig. In this case, the good people of Boston might have for a king the man they have rejected as a delegate. The representative system is fatal to ambition.

Knowing, as I do, the consummate vanity of John Adams, and the shallowness of his judgment, I can easily picture to myself that when he arrived at the Federal City he was strutting in the pomp of his imagination before the presidential house, or in the audience hall, and exulting in the language of Nebuchadnezzar, "Is not this great Babylon, that I have built for the honour of my Majesty!" But in that unfortunate hour, or soon after, John, like Nebuchadnezzar, was driven from among men, and fled with the speed of a post-horse.

Some of John Adams's loyal subjects, I see, have been to present him with an address on his birthday; but the language they use is too tame for the occasion. Birthday addresses, like birthday odes, should not creep along like mildrops down a cabbage leaf, but roll in a torrent of poetical metaphor. I will give them a specimen for the next year. Here it is—

When an Ant, in travelling over the globe, lift up its foot, and put it again on the ground, it shakes the earth to its centre: but when YOU, the mighty Ant of the East, was born, &c. &c. &c., the centre jumped upon the surface.

This, gentlemen, is the proper style of addresses from *well-bred* ants to the monarch of the ant hills; and as I never take pay for preaching, praying, politics, or poetry, I make you a present of it. Some people talk of impeaching John Adams; but I am for softer measures. I would keep him to make fun of. He will then answer one of the ends for which he was born, and he ought to be thankful that I am arrived to take his part. I voted in earnest to save the life

of one unfortunate king, and I now vote in jest to save another. It is my fate to be always plagued with fools. But to return to Federalism and apostacy.

The plan of the leaders of the faction was to overthrow the liberties of the new world, and place government on the corrupt system of the old. They wanted to hold their power by a more lasting tenure than the choice of their constituents. It is impossible to account for their conduct and the measures they adopted on any other ground. But to accomplish that object, a standing army and a prodigal revenue must be raised ; and to obtain these, pretences must be invented to deceive. Alarms of dangers that did not exist even in imagination, but in the direct spirit of lying, were spread abroad. Apostacy stalked through the land in the garb of patriotism, and the torch of treason blinded for a while the flame of liberty.

For what purpose could an army of twenty-five thousand men be wanted? A single reflection might have taught the most credulous that while the war raged between France and England, neither could spare a man to invade America. For what purpose, then, could it be wanted? The case carries its own explanation. It was wanted for the purpose of destroying the representative system, for it could be employed for no other. Are these men Federalists? If they are, they are federalized to deceive and to destroy.

The rage against Dr. Logan's patriotic and voluntary mission to France was excited by the shame they felt at the detection of the false alarms they had circulated. As to the opposition given by the remnant of the faction to the repeal of the taxes laid on during the former administration, it is easily accounted for. The repeal of those taxes was a sentence of condemnation on those who laid them on, and in the opposition they gave in that repeal, they are to be considered in the light of criminals standing on their defence, and the country has passed judgment upon them.

THOMAS PAINE.

CITY OF WASHINGTON, LOVETT'S HOTEL,
Nov. 19, 1802.

LETTER III.[1]

TO ELECT, and to REJECT, is the prerogative of a free people.

Since the establishment of Independence, no period has arrived that so decidedly proves the excellence of the representative system of government, and its superiority over every other, as the time we now live in. Had America been cursed with John Adams's *hereditary Monarchy*, or Alexander Hamilton's *Senate for life*, she must have sought, in the doubtful contest of civil war, what she now obtains by the expression of public will. An appeal to elections decides better than an appeal to the sword.

The Reign of Terror that raged in America during the latter end of the Washington administration, and the whole of that of Adams, is enveloped in mystery to me. That there were men in the government hostile to the representative system, was once their boast, though it is now their overthrow, and therefore the fact is established against them. But that so large a mass of the people should become the dupes of those who were loading them with taxes in order to load them with chains, and deprive them of the right of election, can be ascribed only to that species of wildfire rage, lighted up by falsehood, that not only acts without reflection, but is too impetuous to make any.

There is a general and striking difference between the genuine effects of truth itself, and the effects of falsehood believed to be truth. Truth is naturally benign; but falsehood believed to be truth is always furious. The former delights in serenity, is mild and persuasive, and seeks not the auxiliary aid of invention. The latter sticks at nothing. It has naturally no morals. Every lie is welcome that suits its purpose. It is the innate character of the thing to act in this manner, and the criterion by which it may be known, whether in politics or religion. When any thing is attempted to be supported by lying, it is presumptive evidence that the thing so supported is a lie also. The stock on which a lie can be grafted must be of the same species as the graft.

[1] *The National Intelligencer*, Dec. 29th, 1802.—*Editor.*

What is become of the mighty clamour of French invasion, and the cry that our country is in danger, and taxes and armies must be raised to defend it? The danger is fled with the faction that created it, and what is worst of all, the money is fled too. It is I only that have committed the hostility of invasion, and all the artillery of popguns are prepared for action. Poor fellows, how they foam! They set half their own partisans in laughter; for among ridiculous things nothing is more ridiculous than ridiculous rage. But I hope they will not leave off. I shall lose half my greatness when they cease to lie.

So far as respects myself, I have reason to believe, and a right to say, that the leaders of the Reign of Terror in America and the leaders of the Reign of Terror in France, during the time of Robespierre, were in character the same sort of men; or how is it to be accounted for, that I was persecuted by both at the same time? When I was voted out of the French Convention, the reason assigned for it was, that I was a foreigner. When Robespierre had me seized in the night, and imprisoned in the Luxembourg, (where I remained eleven months,) he assigned no reason for it. But when he proposed bringing me to the tribunal, which was like sending me at once to the scaffold, he then assigned a reason, and the reason was, *for the interests of America as well as of France.* "*Pour les interêts de l'Amérique autant que de la France.*" The words are in his own hand-writing, and reported to the Convention by the committee appointed to examine his papers, and are printed in their report, with this reflection added to them, "*Why Thomas Paine more than another? Because he contributed to the liberty of both worlds.*" [1]

There must have been a coalition in sentiment, if not in fact, between the Terrorists of America and the Terrorists of France, and Robespierre must have known it, or he could

[1] See my "Life of Paine," vol. ii., pp. 79, 81. Also, the historical introduction to XXI., p. 230, of this volume. Robespierre never wrote an idle word. This Paine well knew, as Mirabeau, who said of Robespierre: "That man will go far; he believes every word he says."—*Editor.*

not have had the idea of putting America into the bill of accusation against me. Yet these men, these Terrorists of the new world, who were waiting in the devotion of their hearts for the joyful news of my destruction, are the same banditti who are now bellowing in all the hacknied language of hacknied hypocrisy, about humanity, and piety, and often about something they call infidelity, and they finish with the chorus of *Crucify him, crucify him.* I am become so famous among them, they cannot eat or drink without me. I serve them as a standing dish, and they cannot make up a bill of fare if I am not in it.

But there is one dish, and that the choicest of all, that they have not presented on the table, and it is time they should. They have not yet *accused Providence of Infidelity.* Yet according to their outrageous piety, she [1] must be as bad as Thomas Paine; she has protected him in all his dangers, patronized him in all his undertakings, encouraged him in all his ways, and rewarded him at last by bringing him in safety and in health to the Promised Land. This is more than she did by the Jews, the chosen people, that they tell us she brought out of the land of Egypt, and out of the house of bondage; for they all died in the wilderness, and Moses too.

I was one of the nine members that composed the first Committee of Constitution. Six of them have been destroyed. Sièyes and myself have survived—he by bending with the times, and I by not bending. The other survivor joined Robespierre, he was seized and imprisoned in his turn, and sentenced to transportation. He has since apologized to me for having signed the warrant, by saying he felt himself in danger and was obliged to do it.[2]

Herault Sechelles, an acquaintance of Mr. Jefferson, and a good patriot, was my *suppléant* as member of the Committee of Constitution, that is, he was to supply my place, if I had not accepted or had resigned, being next in number of

[1] Is this a "survival" of the goddess Fortuna?—*Editor.*

[2] Barère. His apology to Paine proves that a death-warrant had been issued, for Barère did not sign the order for Paine's arrest or imprisonment.—*Editor.*

votes to me. He was imprisoned in the Luxembourg with me, was taken to the tribunal and the guillotine, and I, his principal, was left.

There were two foreigners in the Convention, Anarcharsis Clootz and myself. We were both put out of the Convention by the same vote, arrested by the same order, and carried to prison together the same night. He was taken to the guillotine, and I was again left. Joel Barlow was with us when we went to prison.

Joseph Lebon, one of the vilest characters that ever existed, and who made the streets of Arras run with blood, was my *suppléant*, as member of the Convention for the department of the Pas de Calais. When I was put out of the Convention he came and took my place. When I was liberated from prison and voted again into the Convention, he was sent to the same prison and took my place there, and he was sent to the guillotine instead of me. He supplied my place all the way through.

One hundred and sixty-eight persons were taken out of the Luxembourg in one night, and a hundred and sixty of them guillotined next day, of which I now know I was to have been one; and the manner I escaped that fate is curious, and has all the appearance of accident.

The room in which I was lodged was on the ground floor, and one of a long range of rooms under a gallery, and the door of it opened outward and flat against the wall; so that when it was open the inside of the door appeared outward, and the contrary when it was shut. I had three comrades, fellow prisoners with me, Joseph Vanhuele, of Bruges, since President of the Municipality of that town, Michael Rubyns, and Charles Bastini of Louvain.

When persons by scores and by hundreds were to be taken out of the prison for the guillotine it was always done in the night, and those who performed that office had a private mark or signal, by which they knew what rooms to go to, and what number to take. We, as I have stated, were four, and the door of our room was marked, unobserved by us, with that number in chalk; but it happened, if happening is

a proper word, that the mark was put on when the door was open, and flat against the wall, and thereby came on the inside when we shut it at night, and the destroying angel passed by it.[1] A few days after this, Robespierre fell, and Mr. Monroe arrived and reclaimed me, and invited me to his house.

During the whole of my imprisonment, prior to the fall of Robespierre, there was no time when I could think my life worth twenty-four hours, and my mind was made up to

[1] Paine's preface to the "Age of Reason," Part II., and his Letter to Washington (p. 222.) show that for some time after his release from prison he had attributed his escape from the guillotine to a fever which rendered him unconscious at the time when his accusation was demanded by Robespierre; but it will be seen (XXXI.) that he subsequently visited his prison room-mate Vanhuele, who had become Mayor of Bruges, and he may have learned from him the particulars of their marvellous escape. Carlyle having been criticised by John G. Alger for crediting this story of the chalk mark, an exhaustive discussion of the facts took place in the London *Athenæum*, July 7, 21, August 25, September 1, 1894, in which it was conclusively proved, I think, that there is no reason to doubt the truth of the incident. See also my article on Paine's escape, in *The Open Court* (Chicago), July 26, 1894. The discussion in the *Athenæum* elicited the fact that a tradition had long existed in the family of Sampson Perry that he had shared Paine's cell and been saved by the curious mistake. Such is not the fact. Perry, in his book on the French Revolution, and in his "Argus," told the story of Paine's escape by his illness, as Paine first told it; and he also relates an anecdote which may find place here: "Mr. Paine speaks gratefully of the kindness shown him by his fellow-prisoners of the same chamber during his severe malady, and especially of the skilful and voluntary assistance lent him by General O'Hara's surgeon. He relates an anecdote of himself which may not be unworthy of repeating. An *arrêt* of the Committee of Public Welfare had given directions to the administrators of the palace [Luxembourg] to enter all the prisons with additional guards and dispossess every prisoner of his knives, forks, and every other sharp instrument; and also to take their money from them. This happened a short time before Mr. Paine's illness, and as this ceremony was represented to him as an atrocious plunder in the dregs of municipality, he determined to avert its effect so far as it concerned himself. He had an English bank note of some value and gold coin in his pocket, and as he conceived the visitors would rifle them, as well as his trunks (though they did not do so by any one) he took off the lock from his door, and hid the whole of what he had about him in its inside. He recovered his health, he found his money, but missed about three hundred of his associated prisoners, who had been sent in crowds to the murderous tribunal, while he had been insensible of their or his own danger." This was probably the money (£200) loaned by Paine to General O'Hara (who figured at the Yorktown surrender) in prison.—*Editor.*

meet its fate. The Americans in Paris went in a body to the Convention to reclaim me, but without success. There was no party among them with respect to me. My only hope then rested on the government of America, that it would *remember me.* But the icy heart of ingratitude, in whatever man it be placed, has neither feeling nor sense of honour. The letter of Mr. Jefferson has served to wipe away the reproach, and done justice to the mass of the people of America.[1]

When a party was forming, in the latter end of 1777, and beginning of 1778, of which John Adams was one, to remove Mr. Washington from the command of the army on the complaint that *he did nothing*, I wrote the fifth number of the Crisis, and published it at Lancaster, (Congress then being at Yorktown, in Pennsylvania,) to ward off that meditated blow; for though I well knew that the black times of '76 were the natural consequence of his want of military judgment in the choice of positions into which the army was put about New York and New Jersey, I could see no possible advantage, and nothing but mischief, that could arise by distracting the army into parties, which would have been the case had the intended motion gone on.

General [Charles] Lee, who with a sarcastic genius joined a great fund of military knowledge, was perfectly right when he said "*We have no business on islands, and in the bottom of bogs, where the enemy, by the aid of its ships, can bring its whole force against a part of ours and shut it up.*" This had like to have been the case at New York, and it was the case at Fort Washington, and would have been the case at Fort Lee if General [Nathaniel] Greene had not moved instantly off on the first news of the enemy's approach. I was with Greene through the whole of that affair, and know it perfectly.

But though I came forward in defence of Mr. Washington when he was attacked, and made the best that could be made of a series of blunders that had nearly ruined the country, he left me to perish when I was in prison. But as I

[1] Printed in the seventh of this series of Letters.—*Editor.*

told him of it in his life-time, I should not now bring it up if the ignorant impertinence of some of the Federal papers, who are pushing Mr. Washington forward as their stalking horse, did not make it necessary.

That gentleman did not perform his part in the Revolution better, nor with more honour, than I did mine, and the one part was as necessary as the other. He accepted as a present, (though he was already rich,) a hundred thousand acres of land in America, and left me to occupy six foot of earth in France.[1] I wish, for his own reputation, he had acted with more justice. But it was always known of Mr. Washington, by those who best knew him, that he was of such an icy and death-like constitution, that he neither loved his friends nor hated his enemies. But, be this as it may, I see no reason that a difference between Mr. Washington and me should be made a theme of discord with other people. There are those who may see merit in both, without making themselves partisans of either, and with this reflection I close the subject.

As to the hypocritical abuse thrown out by the Federalists on other subjects, I recommend to them the observance of a commandment that existed before either Christian or Jew existed :

> Thou shalt make a covenant with thy senses :
> With thine eye, that it behold no evil,
> With thine ear, that it hear no evil,
> With thy tongue, that it speak no evil,
> With thy hands, that they commit no evil.

If the Federalists will follow this commandment, they will leave off lying.

THOMAS PAINE.

FEDERAL CITY, LOVETT'S HOTEL,
Nov. 26, 1802.

[1] Paine was mistaken, as many others were, about the gifts of Virginia (1785) to Washington. They were 100 shares, of $100 each, in the James River Company, and 50 shares, of £100 each, in the Potomac Company. Washington, accepted on condition that he might appropriate them to *public uses*, which was done in his Will.—*Editor.*

LETTER IV.[1]

As Congress is on the point of meeting, the public papers will necessarily be occupied with the debates of the ensuing session, and as, in consequence of my long absence from America, my private affairs require my attendance, (for it is necessary I do this, or I could not preserve, as I do, my independence,) I shall close my address to the public with this letter.

I congratulate them on the success of the late elections, and *that* with the additional confidence, that while honest men are chosen and wise measures pursued, neither the treason of apostacy, masked under the name of Federalism, of which I have spoken in my second letter, nor the intrigues of foreign emissaries, acting in concert with that mask, can prevail.

As to the licentiousness of the papers calling themselves *Federal*, a name that apostacy has taken, it can hurt nobody but the party or the persons who support such papers. There is naturally a wholesome pride in the public mind that revolts at open vulgarity. It feels itself dishonoured even by hearing it, as a chaste woman feels dishonour by hearing obscenity she cannot avoid. It can smile at wit, or be diverted with strokes of satirical humour, but it detests the *blackguard*. The same sense of propriety that governs in private companies, governs in public life. If a man in company runs his wit upon another, it may draw a smile from some persons present, but as soon as he turns a blackguard in his language the company gives him up; and it is the same in public life. The event of the late election shows this to be true; for in proportion as those papers have become more and more vulgar and abusive, the elections have gone more and more against the party they support, or that supports them. Their predecessor, *Porcupine* [Cobbett] had wit—these scribblers have none. But as soon as his *blackguardism* (for it is the proper name of it) outran his wit, he was abandoned by every body but the English Minister who protected him.

[1] *The National Intelligencer*, Dec. 6th. 1802.—*Editor.*

The Spanish proverb says, "*there never was a cover large enough to hide itself*"; and the proverb applies to the case of those papers and the shattered remnant of the faction that supports them. The falsehoods they fabricate, and the abuse they circulate, is a cover to hide something from being seen, but it is not large enough to hide itself. It is as a tub thrown out to the whale to prevent its attacking and sinking the vessel. They want to draw the attention of the public from thinking about, or inquiring into, the measures of the late administration, and the reason why so much public money was raised and expended; and so far as a lie today, and a new one tomorrow, will answer this purpose, it answers theirs. It is nothing to them whether they be believed or not, for if the negative purpose be answered the main point is answered, to them.

He that picks your pocket always tries to make you look another way. "Look," says he, "at yon man t'other side the street—what a nose he has got?—Lord, yonder is a chimney on fire!—Do you see yon man going along in the salamander great coat? That is the very man that stole one of Jupiter's satellites, and sold it to a countryman for a gold watch, and it set his breeches on fire!" Now the man that has his hand in your pocket, does not care a farthing whether you believe what he says or not. All his aim is to prevent your looking at *him;* and this is the case with the remnant of the Federal faction. The leaders of it have imposed upon the country, and they want to turn the attention of it from the subject.

In taking up any public matter, I have never made it a consideration, and never will, whether it be popular or unpopular; but whether it be *right* or *wrong*. The right will always become the popular, if it has courage to show itself, and the shortest way is always a straight line. I despise expedients, they are the gutter-hole of politics, and the sink where reputation dies. In the present case, as in every other, I cannot be accused of using any; and I have no doubt but thousands will hereafter be ready to say, as Gouverneur Morris said to me, after having abused me pretty handsomely in Congress for the opposition I gave the

fraudulent demand of Silas Deane of two thousand pounds sterling: "*Well, we were all duped, and I among the rest!*"[1]

Were the late administration to be called upon to give reasons for the expence it put the country to, it can give none. The danger of an invasion was a bubble that served as a cover to raise taxes and armies to be employed on some other purpose. But if the people of America believed it true, the cheerfulness with which they supported those measures and paid those taxes is an evidence of their patriotism; and if they supposed me their enemy, though in that supposition they did me injustice, it was not injustice in them. He that acts as he believes, though he may act wrong, is not conscious of wrong.

But though there was no danger, no thanks are due to the late administration for it. They sought to blow up a flame between the two countries; and so intent were they upon this, that they went out of their way to accomplish it. In a letter which the Secretary of State, Timothy Pickering, wrote to Mr. Skipwith, the American Consul at Paris, he broke off from the official subject of his letter, to *thank God* in very exulting language, *that the Russians had cut the French army to pieces.* Mr. Skipwith, after showing me the letter, very prudently concealed it.

It was the injudicious and wicked acrimony of this letter, and some other like conduct of the then Secretary of State, that occasioned me, in a letter to a friend in the government, to say, that if there was any official business to be done in France, till a regular Minister could be appointed, it could not be trusted to a more proper person than Mr. Skipwith. "*He is*," said I, "*an honest man, and will do business, and that with good manners to the government he is commissioned to act with. A faculty which that* BEAR, *Timothy Pickering, wanted, and which the* BEAR *of that* BEAR, *John Adams, never possessed.*"[2]

[1] See vol. I., chapters xxii., xxiii., xxiv., of this work. Also my "Life of Paine," vol. I., ch. ix., x.—*Editor.*

[2] By reference to the letter itself (p. 376 of this volume) it will be seen that Paine here quotes it from memory.—*Editor.*

In another letter to the same friend, in 1797, and which was put unsealed under cover to Colonel Burr, I expressed a satisfaction that Mr. Jefferson, since he was not president, had accepted the vice presidency; "*for*," said I, "*John Adams has such a talent for blundering and offending, it will be necessary to keep an eye over him.*" He has now sufficiently proved, that though I have not the spirit of prophecy, I have the gift of *judging right*. And all the world knows, for it cannot help knowing, that to judge *rightly* and to write *clearly*, and that upon all sorts of subjects, to be able to command thought and as it were to play with it at pleasure, and be always master of one's temper in writing, is the faculty only of a serene mind, and the attribute of a happy and philosophical temperament. The scribblers, who know me not, and who fill their papers with paragraphs about me, besides their want of talents, drink too many slings and drams in a morning to have any chance with me. But, poor fellows, they must do something for the little pittance they get from their employers. This is my apology for them.

My anxiety to get back to America was great for many years. It is the country of my heart, and the place of my political and literary birth. It was the American revolution that made me an author, and forced into action the mind that had been dormant, and had no wish for public life, nor has it now. By the accounts I received, she appeared to me to be going wrong, and that some meditated treason against her liberties lurked at the bottom of her government. I heard that my friends were oppressed, and I longed to take my stand among them, and if other times to *try men's souls* were to arrive, that I might bear my share. But my efforts to return were ineffectual.

As soon as Mr. Monroe had made a good standing with the French government, for the conduct of his predecessor [Morris] had made his reception as Minister difficult, he wanted to send despatches to his own government by a person to whom he could confide a verbal communication, and he fixed his choice on me. He then applied to the Committee

of Public Safety for a passport; but as I had been voted again into the Convention, it was only the Convention that could give the passport; and as an application to them for that purpose, would have made my going publicly known, I was obliged to sustain the disappointment, and Mr. Monroe to lose the opportunity.[1]

When that gentleman left France to return to America, I was to have gone with him. It was fortunate I did not. The vessel he sailed in was visited by a British frigate, that searched every part of it, and down to the hold, for Thomas Paine.[2] I then went, the same year, to embark at Havre. But several British frigates were cruizing in sight of the port who knew I was there, and I had to return again to Paris. Seeing myself thus cut off from every opportunity that was in my power to command, I wrote to Mr. Jefferson, that, if the fate of the election should put him in the chair of the presidency, and he should have occasion to send a frigate to France, he would give me the opportunity of returning by it, which he did. But I declined coming by the *Maryland*, the vessel that was offered me, and waited for the frigate that was to bring the new Minister, Mr. Chancellor Livingston, to France. But that frigate was ordered round to the Mediterranean; and as at that time the war was over, and the British cruisers called in, I could come any way. I then agreed to come with Commodore Barney in a vessel he had engaged. It was again fortunate I did not, for the vessel sank at sea, and the people were preserved in the boat.

Had half the number of evils befallen me that the number of dangers amount to through which I have been preserved, there are those who would ascribe it to the wrath of heaven; why then do they not ascribe my preservation to the protecting favour of heaven? Even in my worldly concerns I have been blessed. The little property I left in America, and which I cared nothing about, not even to receive the rent of it, has been increasing in the value of its

[1] The correspondence is in my "Life of Paine," vol. ii., pp. 154–5.—*Editor.*

[2] The "Dublin Packet," Captain Clay, in whom Paine, as he wrote to Jefferson, had "no confidence."—*Editor.*

capital more than eight hundred dollars every year, for the fourteen years and more that I have been absent from it. I am now in my circumstances independent; and my economy makes me rich. As to my health, it is perfectly good, and I leave the world to judge of the stature of my mind. I am in every instance a living contradiction to the mortified Federalists.

In my publications, I follow the rule I began with in *Common Sense*, that is, to consult nobody, nor to let any body see what I write till it appears publicly. Were I to do otherwise, the case would be, that between the timidity of some, who are so afraid of doing wrong that they never do right, the puny judgment of others, and the despicable craft of preferring *expedient to right*, as if the world was a world of babies in leading strings, I should get forward with nothing. My path is a right line, as straight and clear to me as a ray of light. The boldness (if they will have it to be so) with which I speak on any subject, is a compliment to the judgment of the reader. It is like saying to him, *I treat you as a man and not as a child.* With respect to any worldly object, as it is impossible to discover any in me, therefore what I do, and my manner of doing it, ought to be ascribed to a good motive.

In a great affair, where the happiness of man is at stake, I love to work for nothing; and so fully am I under the influence of this principle, that I should lose the spirit, the pleasure, and the pride of it, were I conscious that I looked for reward; and with this declaration, I take my leave for the present.[1]

THOMAS PAINE.

FEDERAL CITY, LOVETT'S HOTEL,
Dec. 3, 1802.

[1] The self-assertion of this and other letters about this time was really self-defence, the invective against him, and the calumnies, being such as can hardly be credited by those not familiar with the publications of that time.—*Editor.*

LETTER V.[1]

IT is always the interest of a far greater part of the nation to have a thing right than to have it wrong; and therefore, in a country whose government is founded on the system of election and representation, the fate of every party is decided by its principles.

As this system is the only form and principle of government by which liberty can be preserved, and the only one that can embrace all the varieties of a great extent of country, it necessarily follows, that to have the representation real, the election must be real; and that where the election is a fiction, the representation is a fiction also. *Like will always produce like.*

A great deal has been said and written concerning the conduct of Mr. Burr, during the late contest, in the federal legislature, whether Mr. Jefferson or Mr. Burr should be declared President of the United States. Mr. Burr has been accused of intriguing to obtain the Presidency. Whether this charge be substantiated or not makes little or no part of the purport of this letter. There is a point of much higher importance to attend to than any thing that relates to the individual Mr. Burr: for the great point is not whether Mr. Burr has intrigued, but whether the legislature has intrigued with *him.*

Mr. Ogden, a relation of one of the senators of New Jersey of the same name, and of the party assuming the style of Federalists, has written a letter published in the New York papers, signed with his name, the purport of which is to exculpate Mr. Burr from the charges brought against him. In this letter he says:

"When about to return from Washington, two or three *members of Congress* of the federal party spoke to me of *their views*, as to the election of a president, desiring me to converse with Colonel Burr on the subject, and to ascertain *whether he would*

[1] *The National Intelligencer*, Feb. 2, 1803. In the various collections of these Letters there appears at this point a correspondence between Paine and Samuel Adams of Boston, but as it relates to religious matters I reserve it for the fourth volume.—*Editor.*

enter into terms. On my return to New York I called on Colonel Burr, and communicated the above to him. He explicitly declined the explanation, and did neither propose nor agree to any terms." [1]

How nearly is human cunning allied to folly! The animals to whom nature has given the faculty we call *cunning*, know always when to use it, and use it wisely; but when man descends to cunning, he blunders and betrays.

Mr. Ogden's letter is intended to exculpate Mr. Burr from the charge of intriguing to obtain the presidency; and the letter that he (Ogden) writes for this purpose is direct evidence against his party in Congress, that they intrigued with Burr to obtain him for President, and employed him (Ogden) for the purpose. To save *Aaron*, he betrays *Moses*, and then turns informer against the *Golden Calf*.

It is but of little importance to the world to know if Mr. Burr *listened* to an intriguing proposal, but it is of great importance to the constituents to know if their representatives in Congress made one. The ear can commit no crime, but the tongue may; and therefore the right policy is to drop Mr. Burr, as being only the hearer, and direct the whole charge against the Federal faction in Congress as the active original culprit, or, if the priests will have scripture for it, as the serpent that beguiled Eve.

The plot of the intrigue was to make Mr. Burr President, on the private condition of his agreeing to, and entering into, terms with them, that is, with the proposers. Had then the election been made, the country, knowing nothing of this private and illegal transaction, would have supposed, for who could have supposed otherwise, that it had a President according to the forms, principles, and intention of the constitution. No such thing. Every form, principle, and inten-

[1] In the presidential canvas of 1800, the votes in the electoral college being equally divided between Burr and Jefferson, the election was thrown into the House of Representatives. Jefferson was elected on the 36th ballot, but he never forgave Burr, and between these two old friends Paine had to write this letter under some embarrassment. The last paragraph of this Letter shows Paine's desire for a reconciliation between Burr and Jefferson. Aaron Burr is one of the traditionally slandered figures of American history.—*Editor.*

tion of the constitution would have been violated; and instead of a President, it would have had a mute, a sort of image, hand-bound and tongue-tied, the dupe and slave of a party, placed on the theatre of the United States, and acting the farce of President.

It is of little importance, in a constitutional sense, to know what the terms to be proposed might be, because any terms other than those which the constitution prescribes to a President are criminal. Neither do I see how Mr. Burr, or any other person put in the same condition, could have taken the oath prescribed by the constitution to a President, which is, "*I do solemnly swear* (or affirm,) *that I will faithfully execute the office of President of the United States, and will to the best of my ability preserve, protect, and defend the Constitution of the United States.*"

How, I ask, could such a person have taken such an oath, knowing at the same time that he had entered into the Presidency on terms unknown in the Constitution, and private, and which would deprive him of the freedom and power of acting as President of the United States, agreeably to his constitutional oath?

Mr. Burr, by not agreeing to terms, has escaped the danger to which they exposed him, and the perjury that would have followed, and also the punishment annexed thereto. Had he accepted the Presidency on terms unknown in the constitution, and private, and had the transaction afterwards transpired, (which it most probably would, for roguery is a thing difficult to conceal,) it would have produced a sensation in the country too violent to be quieted, and too just to be resisted; and in any case the election must have been void.

But what are we to think of those members of Congress, who having taken an oath of the same constitutional import as the oath of the President, violate that oath by tampering to obtain a President on private conditions. If this is not sedition against the constitution and the country, it is difficult to define what sedition in a representative can be.

Say not that this statement of the case is the effect of personal or party resentment. No. It is the effect of *sincere*

concern that such corruption, of which this is but a sample, should, in the space of a few years, have crept into a country that had the fairest opportunity that Providence ever gave, within the knowledge of history, of making itself an illustrious example to the world.

What the terms were, or were to be, it is probable we never shall know; or what is more probable, that feigned ones, if any, will be given. But from the conduct of the party since that time we may conclude, that no taxes would have been taken off, that the clamour for war would have been kept up, new expences incurred, and taxes and offices increased in consequence; and, among the articles of a private nature, that the leaders in this seditious traffic were to stipulate with the mock President for lucrative appointments for themselves.

But if these plotters against the Constitution understood their business, and they had been plotting long enough to be masters of it, a single article would have comprehended every thing, which is, *That the President (thus made) should be governed in all cases whatsoever by a private junto appointed by themselves.* They could then, through the medium of a mock President, have negatived all bills which their party in Congress could not have opposed with success, and reduced representation to a nullity.

The country has been imposed upon, and the real culprits are but few; and as it is necessary for the peace, harmony, and honour of the Union, to separate the deceiver from the deceived, the betrayer from the betrayed, that men who once were friends, and that in the worst of times, should be friends again, it is necessary, as a beginning, that this dark business be brought to full investigation. Ogden's letter is direct evidence of the fact of tampering to obtain a conditional President. He knows the two or three members of Congress that commissioned him, and they know who commissioned them.

THOMAS PAINE.

FEDERAL CITY, LOVETT'S HOTEL,
Jan. 29th, 1803.

LETTER VI.[1]

RELIGION and War is the cry of the Federalists; Morality and Peace the voice of Republicans. The union of Morality and Peace is congenial; but that of Religion and War is a paradox, and the solution of it is hypocrisy.

The leaders of the Federalists have no judgment; their plans no consistency of parts; and want of consistency is the natural consequence of want of principle.

They exhibit to the world the curious spectacle of an *Opposition* without a *cause*, and conduct without system. Were they, as doctors, to prescribe medicine as they practise politics, they would poison their patients with destructive compounds.

There are not two things more opposed to each other than War and Religion; and yet, in the double game those leaders have to play, the one is necessarily the theme of their politics, and the other the text of their sermons. The week-day orator of Mars, and the Sunday preacher of Federal Grace, play like gamblers into each other's hands, and this they call Religion.

Though hypocrisy can counterfeit every virtue, and become the associate of every vice, it requires a great dexterity of craft to give it the power of deceiving. A painted sun may glisten, but it cannot warm. For hypocrisy to personate virtue successfully it must know and feel what virtue is, and as it cannot long do this, it cannot long deceive. When an orator foaming for War breathes forth in another sentence a *plaintive piety of words*, he may as well write HYPOCRISY on his front.

The late attempt of the Federal leaders in Congress (for they acted without the knowledge of their constituents) to plunge the country into War, merits not only reproach but indignation. It was madness, conceived in ignorance and acted in wickedness. The head and the heart went partners in the crime.

[1] The *Aurora* (Philadelphia).—*Editor.*

A neglect of punctuality in the performance of a treaty is made a *cause* of war by the *Barbary powers*, and of remonstrance and explanation by *civilized powers*. The Mahometans of Barbary negociate by the sword—they seize first, and expostulate afterwards; and the federal leaders have been labouring to *barbarize* the United States by adopting the practice of the Barbary States, and this they call honour. Let their honour and their hypocrisy go weep together, for both are defeated. Their present Administration is too moral for hypocrites, and too economical for public spendthrifts.

A man the least acquainted with diplomatic affairs must know that a neglect in punctuality is not one of the legal causes of war, unless that neglect be confirmed by a refusal to perform; and even then it depends upon circumstances connected with it. The world would be in continual quarrels and war, and commerce be annihilated, if Algerine policy was the law of nations. And were America, instead of becoming an example to the old world of good and moral government and civil manners, or, if they like it better, of gentlemanly conduct towards other nations, to set up the character of ruffian, that of *word and blow, and the blow first*, and thereby give the example of pulling down the little that civilization has gained upon barbarism, her Independence, instead of being an honour and a blessing, would become a curse upon the world and upon herself.

The conduct of the Barbary powers, though unjust in principle, is suited to their prejudices, situation, and circumstances. The crusades of the church to exterminate them fixed in their minds the unobliterated belief that every Christian power was their mortal enemy. Their religious prejudices, therefore, suggest the policy, which their situation and circumstances protect them in. As a people, they are neither commercial nor agricultural, they neither import nor export, have no property floating on the seas, nor ships and cargoes in the ports of foreign nations. No retaliation, therefore, can be acted upon them, and they sin secure from punishment.

But this is not the case with the United States. If she sins as a Barbary power, she must answer for it as a Civilized one. Her commerce is continually passing on the seas exposed to capture, and her ships and cargoes in foreign ports to detention and reprisal. An act of War committed by her in the Mississippi would produce a War against the commerce of the Atlantic States, and the latter would have to curse the policy that provoked the former. In every point, therefore, in which the character and interest of the United States be considered, it would ill become her to set an example contrary to the policy and custom of Civilized powers, and practised only by the Barbary powers, that of striking before she expostulates.

But can any man, calling himself a Legislator, and supposed by his constituents to know something of his duty, be so ignorant as to imagine that seizing on New Orleans would finish the affair or even contribute towards it? On the contrary it would have made it worse. The treaty right of deposite at New Orleans, and the right of the navigation of the Mississippi into the Gulph of Mexico, are distant things. New Orleans is more than an hundred miles in the country from the mouth of the river, and, as a place of deposite, is of no value if the mouth of the river be shut, which either France or Spain could do, and which our possession of New Orleans could neither prevent or remove. New Orleans in our possession, by an act of hostility, would have become a blockaded port, and consequently of no value to the western people as a place of deposite. Since, therefore, an interruption had arisen to the commerce of the western states, and until the matter could be brought to a fair explanation, it was of less injury to have the port shut and the river open, than to have the river shut and the port in our possession.

That New Orleans could be taken required no stretch of policy to plan, nor spirit of enterprize to effect. It was like marching behind a man to knock him down: and the dastardly slyness of such an attack would have stained the fame of the United States. Where there is no danger cowards are bold, and Captain Bobadils are to be found in the Senate as

well as on the stage. Even *Gouverneur*, on such a march, dare have shown a leg.[1]

The people of the western country to whom the Mississippi serves as an inland sea to their commerce, must be supposed to understand the circumstances of that commerce better than a man who is a stranger to it; and as they have shown no approbation of the war-whoop measures of the Federal senators, it becomes presumptive evidence they disapprove them. This is a new mortification for those war-whoop politicians; for the case is, that finding themselves losing ground and withering away in the Atlantic States, they laid hold of the affair of New Orleans in the vain hope of rooting and reinforcing themselves in the western States; and they did this without perceiving that it was one of those ill judged hypocritical expedients in politics, that whether it succeeded or failed the event would be the same. Had their motion [that of Ross and Morris] succeeded, it would have endangered the commerce of the Atlantic States and ruined their reputation there; and on the other hand the attempt to make a tool of the western people was so badly concealed as to extinguish all credit with them.

But hypocrisy is a vice of sanguine constitution. It flatters and promises itself every thing; and it has yet to learn, with respect to moral and political reputation, it is less dangerous to offend than to deceive.

To the measures of administration, supported by the firmness and integrity of the majority in Congress, the United States owe, as far as human means are concerned, the preservation of peace, and of national honour. The confidence

[1] Gouverneur Morris being now leader of the belligerent faction in Congress, Paine could not resist the temptation to allude to a well-known incident (related in his *Diary and Letters*, i., p. 14). A mob in Paris having surrounded his fine carriage, crying "Aristocrat!" Morris showed his wooden leg, declaring he had lost his leg in the cause of American liberty. Morris was never in any fight, his leg being lost by a commonplace accident while driving in Philadelphia. Although Paine's allusion may appear in bad taste, even with this reference, it was politeness itself compared with the brutal abuse which Morris (not content with imprisoning Paine in Paris) and his adherents were heaping on the author on his return to America; also on Monroe, whom Jefferson had returned to France to negotiate for the purchase of Louisiana.—*Editor*.

which the western people reposed in the government and their representatives is rewarded with success. They are reinstated in their rights with the least possible loss of time; and their harmony with the people of New Orleans, so necessary to the prosperity of the United States, which would have been broken, and the seeds of discord sown in its place, had hostilities been preferred to accommodation, remains unimpaired. Have the Federal ministers of the church meditated on these matters? and laying aside, as they ought to do, their electioneering and vindictive prayers and sermons, returned thanks that peace is preserved, and commerce, without the stain of blood?

In the pleasing contemplation of this state of things the mind, by comparison, carries itself back to those days of uproar and extravagance that marked the career of the former administration, and decides, by the unstudied impulse of its own feelings, that something must then have been wrong. Why was it, that America, formed for happiness, and remote by situation and circumstances from the troubles and tumults of the European world, became plunged into its vortex and contaminated with its crimes? The answer is easy. Those who were then at the head of affairs were apostates from the principles of the revolution. Raised to an elevation they had not a right to expect, nor judgment to conduct, they became like feathers in the air, and blown about by every puff of passion or conceit.

Candour would find some apology for their conduct if want of judgment was their only defect. But error and crime, though often alike in their features, are distant in their characters and in their origin. The one has its source in the weakness of the head, the other in the hardness of the heart, and the coalition of the two, describes the former Administration.[1]

Had no injurious consequences arisen from the conduct of that Administration, it might have passed for error or imbecility, and been permitted to die and be forgotten. The grave is kind to innocent offence. But even innocence, when it is a cause of injury, ought to undergo an enquiry.

[1] That of John Adams.—*Editor.*

The country, during the time of the former Administration, was kept in continual agitation and alarm; and that no investigation might be made into its conduct, it entrenched itself within a magic circle of terror, and called it a SEDITION LAW.[1] Violent and mysterious in its measures and arrogant in its manners, it affected to disdain information, and insulted the principles that raised it from obscurity. John Adams and Timothy Pickering were men whom nothing but the accidents of the times rendered visible on the political horizon. Elevation turned their heads, and public indignation hath cast them to the ground. But an inquiry into the conduct and measures of that Administration is nevertheless necessary.

The country was put to great expense. Loans, taxes, and standing armies became the standing order of the day. The militia, said Secretary Pickering, are not to be depended upon, and fifty thousand men must be raised. For what? No cause to justify such measures has yet appeared. No discovery of such a cause has yet been made. The pretended Sedition Law shut up the sources of investigation, and the precipitate flight of John Adams closed the scene. But the matter ought not to sleep here.

It is not to gratify resentment, or encourage it in others, that I enter upon this subject. It is not in the power of man to accuse me of a persecuting spirit. But some explanation ought to be had. The motives and objects respecting the extraordinary and expensive measures of the former Administration ought to be known. The Sedition Law, that shield of the moment, prevented it then, and justice demands it now. If the public have been imposed upon, it is proper they should know it; for where judgment is to act, or a choice is to be made, knowledge is first necessary. The conciliation of parties, if it does not grow out of explanation, partakes of the character of collusion or indifference.

[1] Passed July 14, 1798, to continue until March 3, 1801. This Act, described near the close of this Letter, and one passed June 25th, giving the President despotic powers over aliens in the United States, constituted the famous "Alien and Sedition Laws." Hamilton opposed them, and rightly saw in them the suicide of the Federal party.—*Editor.*

There has been guilt somewhere; and it is better to fix it where it belongs, and separate the deceiver from the deceived, than that suspicion, the bane of society, should range at large, and sour the public mind. The military measures that were proposed and carrying on during the former administration, could not have for their object the defence of the country against invasion. This is a case that decides itself; for it is self evident, that while the war raged in Europe, neither France nor England could spare a man to send to America. The object, therefore, must be something at home, and that something was the overthrow of the representative system of government, for it could be nothing else. But the plotters got into confusion and became enemies to each other. Adams hated and was jealous of Hamilton, and Hamilton hated and despised both Adams and Washington.[1] Surly Timothy stood aloof, as he did at the affair of Lexington, and the part that fell to the public was to pay the expense.[2]

But ought a people who, but a few years ago, were fighting the battles of the world, for liberty had no home but here, ought such a people to stand quietly by and see that liberty undermined by apostacy and overthrown by intrigue? Let the tombs of the slain recall their recollection, and the forethought of what their children are to be revive and fix in their hearts the love of liberty.

If the former administration can justify its conduct, give it the opportunity. The manner in which John Adams disappeared from the government renders an inquiry the more necessary. He gave some account of himself, lame and confused as it was, to certain *eastern wise men* who came to

[1] Hamilton's bitter pamphlet against Adams appeared in 1800, but his old quarrel with Washington (1781) had apparently healed. Yet, despite the favors lavished by Washington on Hamilton, there is no certainty that the latter ever changed his unfavorable opinion of the former, as expressed in a letter to General Schuylor, Feb. 18, 1781 (Lodge's "Hamilton's Works," vol. viii., p. 35).—*Editor.*

[2] Colonel Pickering's failure, in 1775, to march his Salem troops in time to intercept the British retreat from Lexington was attributed to his half-heartedness in the patriotic cause.—*Editor.*

pay homage to him on his birthday. But if he thought it necessary to do this, ought he not to have rendered an account to the public. They had a right to expect it of him. In that *tête-à-tête* account, he says, "Some measures were the effect of imperious necessity, much against my inclination." What measures does Mr. Adams mean, and what is the imperious necessity to which he alludes? "Others (says he) were measures of the Legislature, which, although approved when passed, were never previously proposed or recommended by me." What measures, it may be asked, were those, for the public have a right to know the conduct of their representatives? "Some (says he) left to my discretion were never executed, because no necessity for them, in my judgment, ever occurred."

What does this dark apology, mixed with accusation, amount to, but to increase and confirm the suspicion that something was wrong? Administration only was possessed of foreign official information, and it was only upon that information communicated by him publicly or privately, or to Congress, that Congress could act; and it is not in the power of Mr. Adams to show, from the condition of the belligerent powers, that any imperious necessity called for the warlike and expensive measures of his Administration.

What the correspondence between Administration and Rufus King in London, or Quincy Adams in Holland, or Berlin, might be, is but little known. The public papers have told us that the former became cup-bearer from the London underwriters to Captain Truxtun,[1] for which, as Minister from a neutral nation, he ought to have been censured. It is, however, a feature that marks the politics of the Minister, and hints at the character of the correspondence.

I know that it is the opinion of several members of both houses of Congress, that an enquiry, with respect to the con-

[1] Thomas Truxtun (1755–1822), for having captured the French frigate "L'Insurgente," off Hen's Island, 1799, was presented at Lloyd's coffee-house with plate to the value of 600 guineas. Rufus King (1755–1827), made Minister to England in 1796, continued under Adams, and for two years under Jefferson's administration.—*Editor.*

duct of the late Administration, ought to be gone into. The convulsed state into which the country has been thrown will be best settled by a full and fair exposition of the conduct of that Administration, and the causes and object of that conduct. To be deceived, or to remain deceived, can be the interest of no man who seeks the public good; and it is the deceiver only, or one interested in the deception, that can wish to preclude enquiry.

The suspicion against the late Administration is, that it was plotting to overturn the representative system of government, and that it spread alarms of invasions that had no foundation, as a pretence for raising and establishing a military force as the means of accomplishing that object.

The law, called the Sedition Law, enacted, that if any person should write or publish, or cause to be written or published, any libel [without defining what a libel is] against the Government of the United States, or either house of congress, or against the President, he should be punished by a fine not exceeding two thousand dollars, and by imprisonment not exceeding two years.

But it is a much greater crime for a president to plot against a Constitution and the liberties of the people, than for an individual to plot against a President; and consequently, John Adams is accountable to the public for his conduct, as the individuals under his administration were to the sedition law.

The object, however, of an enquiry, in this case, is not to punish, but to satisfy; and to shew, by example, to future administrations, that an abuse of power and trust, however disguised by appearances, or rendered plausible by pretence, is one time or other to be accounted for.

THOMAS PAINE.

BORDENTOWN, ON THE DELAWARE,
NEW JERSEY, March 12, 1803.

LETTER VII.

EDITOR'S PREFACE.

THIS letter was printed in *The True American*, Trenton, New Jersey, soon after Paine's return to his old home at Bordenton. It is here printed from the original manuscript, for which I am indebted to Mr. W. F. Havemeyer of New York. Although the Editor has concluded to present Paine's "Maritime Compact" in the form he finally gave it, the articles were printed in French in 1800, and by S. H. Smith, Washington, at the close of the same year. There is an interesting history connected with it. John Hall, in his diary ("Trenton, 20 April, 1787") relates that Paine told him of Dr. Franklin, whom he (Paine) had just visited in Philadelphia, "and the Treaty he, the Doctor, made with the late King of Prussia by adding an article that, should war ever break out, Commerce should be free. The Doctor said he showed it to Vergennes, who said it met his idea, and was such as he would make even with England." In his Address to the People of France, 1797 (see p. 366), Paine closes with a suggestion on the subject, and a year later (September 30, 1798), when events were in a critical condition, he sent nine articles of his proposed *Pacte Maritime* to Talleyrand, newly appointed Minister of Foreign Affairs. The letters that passed are here taken from the originals (State Archives, Paris, États Unis, vol. 48).

"Rue Theâtre française, No. 4, 9 Vendemaire, 6 year. CITIZEN MINISTER: I promised you some observations on the state of things between France and America. I divide the case into two parts. First, with respect to some Method that shall effectually put an end to all interruptions of the American Commerce. Secondly, with respect to the settlement for the captures that have been made on that Commerce.

"As to the first case (the interruption of the American Commerce by France) it has foundation in the British Treaty, and it is the continuance of that treaty that renders the remedy difficult. Besides, the American administration has

blundered so much in the business of treaty-making, that it is probable it will blunder again in making another with France. There is, however, one method left, and there is but one that I can see, that will be effectual. It is a *non-importation Convention; that America agrees not to import from any Nation in Europe who shall interrupt her Commerce on the seas, any goods, wares, or merchandize whatever, and that all her ports shall be shut against the Nation that gives the offence.* This will draw America out of her difficulties with respect to her treaty with England.

"But it will be far better if this non-importation convention were to be a general convention of Nations acting as a Whole. It would give a better protection to Neutral Commerce than the armed neutrality could do. I would rather be a Neutral Nation under the protection of such a Convention, which costs nothing to make it, than be under the protection of a navy equal to that of Great Britain. France should be the patron of such a Convention and sign it. It would be giving both her consent and her protection to the Rights of Neutral Nations. If England refuse to sign it she will nevertheless be obliged to respect it, or lose all her Commerce.

"I enclose you a plan I drew up about four months ago, when there was expectation that Mr. Madison would come to France. It has lain by me ever since.

"The second part, that of settlement for the captures, I will make the subject of a future correspondence. Salut et respect."

Talleyrand's Reply ("Foreign Relations, 15 Vendemaire An. 6," Oct. 6, 1797): "I have the honor to return you, Citizen, with very sincere thanks, your Letter to General Washington which you have had the goodness to show me.

"I have received the letter which you have taken the trouble to write me, the 9th of this month. I need not assure you of the appreciation with which I shall receive the further indications you promise on the means of terminating in a durable manner the differences which must excite your interest as a patriot and as a Republican. Animated by

such a principle your ideas cannot fail to throw valuable light on the discussion you open, and which should have for its object to reunite the two Republics in whose alienation the enemies of liberty triumph."

Paine's plan made a good impression in France. He writes to Jefferson, October 6, 1800, that the Consul Le Brun, at an entertainment given to the American envoys, gave for his toast: "À l' union de l' Amérique avec les Puissances du Nord pour faire respecter la liberté des mers."

PAINE'S SEVENTH LETTER.

THE malignant mind, like the jaundiced eye, sees everything through a false medium of its own creating. The light of heaven appears stained with yellow to the distempered sight of the one, and the fairest actions have the form of crimes in the venomed imagination of the other.

For seven months, both before and after my return to America in October last, the apostate papers styling themselves "Federal" were filled with paragraphs and Essays respecting a letter from Mr. Jefferson to me at Paris; and though none of them knew the contents of the letter, nor the occasion of writing it, malignity taught them to suppose it, and the lying tongue of injustice lent them its aid.

That the public may no longer be imposed upon by Federal apostacy, I will now publish the Letter, and the occasion of its being written.

The Treaty negociated in England by John Jay, and ratified by the Washington Administration, had so disgracefully surrendered the right and freedom of the American flag, that all the Commerce of the United States on the Ocean became exposed to capture, and suffered in consequence of it. The duration of the Treaty was limited to two years after the war; and consequently America could not, during that period, relieve herself from the Chains which the Treaty had fixed upon her. This being the case, the only relief that could come must arise out of something originating in Europe, that would, in its consequences, extend to America. It had long been my opinion that Com-

merce contained within itself the means of its own protection; but as the time for bringing forward any new system is not always happening, it is necessary to watch its approach, and lay hold of it before it passes away.

As soon as the late Emperor Paul of Russia abandoned his coalition with England and become a Neutral Power, this Crisis of time, and also of circumstances, was then arriving; and I employed it in arranging a plan for the protection of the Commerce of Neutral Nations during War, that might, in its operation and consequences, relieve the Commerce of America. The Plan, with the pieces accompanying it, consisted of about forty pages. The Citizen Bonneville, with whom I lived in Paris, translated it into French; Mr. Skipwith, the American Consul, Joel Barlow, and myself, had the translation printed and distributed as a present to the Foreign Ministers of all the Neutral Nations then resident in Paris. This was in the summer of 1800.

It was entitled Maritime Compact (in French *Pacte Maritime*). The plan, exclusive of the pieces that accompanied it, consisted of the following Preamble and Articles.

MARITIME COMPACT.

Being an UNARMED ASSOCIATION *of Nations for the protection of the Rights and Commerce of Nations that shall be neutral in time of War.*

Whereas, the Vexations and Injuries to which the Rights and Commerce of Neutral Nations have been, and continue to be, exposed during the time of maritime War, render it necessary to establish a law of Nations for the purpose of putting an end to such vexations and Injuries, and to guarantee to the Neutral Nations the exercise of their just Rights,

We, therefore, the undersigned Powers, form ourselves into an Association, and establish the following as a Law of Nations on the Seas.

ARTICLE THE FIRST.

Definition of the Rights of neutral Nations.

The Rights of Nations, such as are exercised by them in their intercourse with each other in time of Peace, are, and

of right ought to be, the Rights of Neutral Nations at all times; because,

First, those Rights not having been abandoned by them, remain with them.

Secondly, because those Rights cannot become forfeited or void, in consequence of War breaking out between two or more other Nations.

A War of Nation against Nation being exclusively the act of the Nations that make the War, and not the act of the Neutral Nations, cannot, whether considered in itself or in its consequences, destroy or diminish the Rights of the Nations remaining in Peace.

ARTICLE THE SECOND.

The Ships and Vessels of Nations that rest neuter and at Peace with the World during a War with other Nations, have a Right to navigate freely on the Seas as they navigated before that War broke out, and to proceed to and enter the Port or Ports of any of the Belligerent Powers, *with the consent of that Power*, without being seized, searched, visited, or any ways interrupted, by the Nation or Nations with which that Nation is at War.

ARTICLE THE THIRD.

For the Conservation of the aforesaid Rights, We, the undersigned Powers, engaging to each other our Sacred Faith and Honour, DECLARE

That if any Belligerent Power shall seize, search, visit, or any ways interrupt any Ship or Vessel belonging to the Citizens or Subjects of any of the Powers composing this Association, then each and all of the said undersigned Powers will cease to import, and will not permit to be imported into the Ports or Dominions of any of the said undersigned Powers, in any Ship or Vessel whatever, any Goods, wares, or Merchandize, produced or manufactured in, or exported from, the Dominions of the Power so offending against the Association hereby established and Proclaimed.

ARTICLE THE FOURTH.

That all the Ports appertaining to any and all of the Powers composing this Association shall be shut against the Flag of the offending Nation.

ARTICLE THE FIFTH.

That no remittance or payment in Money, Merchandize, or Bills of Exchange, shall be made by any of the Citizens, or Subjects, of any of the Powers composing this Association, to the Citizens or Subjects of the offending Nation, for the Term of one year, or until reparation be made. The reparation to be —— times the amount of the damages sustained.

ARTICLE THE SIXTH.

If any Ship or Vessel appertaining to any of the Citizens or Subjects of any of the Powers composing this Association shall be seized, searched, visited, or interrupted, by any Belligerent Nation, or be forcibly prevented entering the Port of her destination, or be seized, searched, visited, or interrupted, in coming out of such Port, or be forcibly prevented from proceeding to any new destination, or be insulted or visited by any Agent from on board any Vessel of any Belligerent Power, the Government or Executive Power of the Nation to which the Ship or Vessel so seized, searched, visited, or interrupted belongs, shall, on evidence of the fact, make public Proclamation of the same, and send a Copy thereof to the Government, or Executive, of each of the Powers composing this Association, who shall publish the same in all the extent of his Dominions, together with a Declaration, that at the expiration of —— days after publication, the penal articles of this Association shall be put in execution against the offending Nation.

ARTICLE THE SEVENTH.

If reparation be not made within the space of one year, the said Proclamation shall be renewed for one year more, and so on.

ARTICLE THE EIGHTH.

The Association chooses for itself a Flag to be carried at the Mast-head conjointly with the National Flag of each Nation composing this Association.

The Flag of the Association shall be composed of the same colors as compose the Rain-bow, and arranged in the same order as they appear in that Phenomenon.

ARTICLE THE NINTH.

And whereas, it may happen that one or more of the Nations composing this Association may be, at the time of forming it, engaged in War or become so in future, in that case, the Ships and Vessels of such Nation shall carry the Flag of the Association bound round the Mast, to denote that the Nation to which she belongs is a Member of the Association and a respecter of its Laws.

N. B. This distinction in the manner of carrying the Flag is mearly for the purpose, that Neutral Vessels having the Flag at the Mast-head, may be known at first sight.

ARTICLE THE TENTH.

And whereas, it is contrary to the moral principles of Neutrality and Peace, that any Neutral Nation should furnish to the Belligerent Powers, or any of them, the means of carrying on War against each other, We, therefore, the Powers composing this Association, Declare, that we will each one for itself, prohibit in our Dominions the exportation or transportation of military stores, comprehending gunpowder, cannon, and cannon-balls, fire arms of all kinds, and all kinds of iron and steel weapons used in War. Excluding therefrom all kinds of Utensils and Instruments used in civil or domestic life, and every other article that cannot, in its immediate state, be employed in War.

Having thus declared the moral Motives of the foregoing Article, We declare also the civil and political Intention thereof, to wit,

That as Belligerent Nations have no right to visit or search any Ship or Vessel belonging to a Nation at Peace, and

under the protection of the Laws and Government thereof, and as all such visit or search is an insult to the Nation to which such Ship or Vessel belongs and to the Government of the same, We, therefore, the Powers composing this Association, will take the right of prohibition on ourselves to whom it properly belongs, and by whom only it can be legally exercised, and not permit foreign Nations, in a state of War, to usurp the right of legislating by Proclamation for any of the Citizens or Subjects of the Powers composing this Association.

It is, therefore, in order to take away all pretence of search or visit, which by being offensive might become a new cause of War, that we will provide Laws and publish them by Proclamation, each in his own Dominion, to prohibit the supplying, or carrying to, the Belligerent Powers, or either of them, the military stores or articles before mentioned, annexing thereto a penalty to be levied or inflicted upon any persons within our several Dominions transgressing the same. And we invite all Persons, as well of the Belligerent Nations as of our own, or of any other, to give information of any knowledge they may have of any transgressions against the said Law, that the offenders may be prosecuted.

By this conduct we restore the word Contraband (*contra* and *ban*) to its true and original signification, which means against Law, edict, or Proclamation; and none but the Government of a Nation can have, or can exercise, the right of making Laws, edicts, or Proclamations, for the conduct of its Citizens or Subjects.

Now We, the undersigned Powers, declare the aforesaid Articles to be a Law of Nations at all times, or until a Congress of Nations shall meet to form some Law more effectual.

And we do recommend that immediately on the breaking out of War between any two or more Nations, that Deputies be appointed by all Neutral Nations, whether members of this Association or not, to meet in Congress in some central place to take cognizance of any violations of the Rights of Neutral Nations. Signed, &c.

For the purpose of giving operation to the aforesaid plan of an *unarmed Association*, the following Paragraph was subjoined:

It may be judged proper for the order of Business, that the Association of Nations have a President for a term of years, and the Presidency to pass by rotation, to each of the parties composing the Association.

In that case, and for the sake of regularity, the first President to be the Executive power of the most northerly Nation composing the Association, and his deputy or Minister at the Congress to be President of the Congress,—and the next most northerly to be Vice-president, who shall succeed to the Presidency, and so on. The line determining the Geographical situation of each, to be the latitude of the Capital of each Nation.

If this method be adopted it will be proper that the first President be nominally constituted in order to give rotation to the rest. In that case the following Article might be added to the foregoing, viz't. The Constitution of the Association nominates the EMPEROR PAUL to be *first President* of the Association of Nations for the protection of Neutral Commerce, and securing the freedom of the Seas.

The foregoing plan, as I have before mentioned, was presented to the Ministers of all the Neutral Nations then in Paris, in the summer of 1800. Six Copies were given to the Russian General Springporten; and a Russian Gentleman who was going to Petersburgh took two expressly for the purpose of putting them into the hands of Paul. I sent the original manuscript, in my own handwriting, to Mr. Jefferson, and also wrote him four Letters, dated the 1st, 4th, 6th, 16th of October, 1800, giving him an account of what was then going on in Europe respecting Neutral Commerce.

The Case was, that in order to compel the English Government to acknowledge the rights of Neutral Commerce, and that free Ships make free Goods, the *Emperor Paul*, in the month of September following the publication of the plan, shut all the Ports of Russia against England. Sweden

and Denmark did the same by their Ports, and Denmark shut up Hamburgh. Prussia shut up the Elbe and the Weser. The ports of Spain, Portugal, and Naples were shut up, and, in general, all the ports of Italy, except Venice, which the Emperor of Germany held; and had it not been for the untimely death of *Paul*, a *Law of Nations*, founded on the authority of Nations, for establishing the rights of Neutral Commerce and the freedom of the Seas, would have been proclaimed, and the Government of England must have consented to that Law, or the Nation must have lost its Commerce; and the consequence to America would have been, that such a Law would, in a great measure if not entirely, have released her from the injuries of Jay's Treaty.

Of all these matters I informed Mr. Jefferson. This was before he was President, and the Letter he wrote me after he was President was in answer to those I had written to him and the manuscript Copy of the plan I had sent here. Here follows the Letter:

WASHINGTON, March 18, 1801.

DEAR SIR:

Your letters of Oct. 1st, 4th, 6th, 16th, came duly to hand, and the papers which they covered were, according to your permission, published in the Newspapers, and in a Pamphlet, and under your own name. These papers contain precisely our principles, and I hope they will be generally recognized here. *Determined as we are to avoid, if possible, wasting the energies of our People in war and destruction, we shall avoid implicating ourselves with the Powers of Europe, even in support of principles which we mean to pursue. They have so many other Interests different from ours that we must avoid being entangled in them. We believe we can enforce those principles as to ourselves by Peaceable means, now that we are likely to have our Public Councils detached from foreign views. The return of our citizens from the phrenzy into which they had been wrought, partly by ill conduct in France, partly by artifices practiced upon them, is almost extinct, and will, I believe, become quite so.* But these details, too minute and long for a Letter, will be better developed by Mr. Dawson, the Bearer of this, a Member of the late Congress, to whom I refer you for them. He goes in the Maryland Sloop of War, which will wait a few days at Havre to receive his Letters to be written on his arrival at Paris. You ex-

pressed a wish to get a passage to this Country in a Public Vessel. Mr. Dawson is charged with orders to the Captain of the Maryland to receive and accommodate you back if you can be ready to depart at such a short warning. Rob't R. Livingston is appointed Minister Plenipotentiary to the Republic of France, but will not leave this, till we receive the ratification of the Convention by Mr. Dawson. I am in hopes you will find us returned generally to sentiments worthy of former times. In these it will be your glory to have steadily laboured and with as much effect as any man living. That you may long live to continue your useful Labours and to reap the reward in the thankfulness of Nations is my sincere prayer. Accept assurances of my high esteem and affectionate attachment. THOMAS JEFFERSON.

This, Citizens of the United States, is the Letter about which the leaders and tools of the Federal faction, without knowing its contents or the occasion of writing it, have wasted so many malignant falsehoods. It is a Letter which, on account of its wise economy and peaceable principles, and its forbearance to reproach, will be read by every good Man and every good Citizen with pleasure; and the faction, mortified at its appearance, will have to regret they forced it into publication. The least atonement they can now offer is to make the Letter as public as they have made their own infamy, and learn to lie no more.

The same injustice they shewed to Mr. Jefferson they shewed to me. I had employed myself in Europe, and at my own expense, in forming and promoting a plan that would, in its operation, have benefited the Commerce of America; and the faction here invented and circulated an account in the papers they employ, that I had given a plan to the French for burning all the towns on the Coast from Savannah to Baltimore. Were I to prosecute them for this (and I do not promise that I will not, for the Liberty of the Press is not the liberty of lying,) there is not a fæderal judge, not even one of Midnight appointment, but must, from the nature of the case, be obliged to condemn them. The faction, however, cannot complain they have been restrained in any thing. They have had their full swing of lying uncon-

tradicted; they have availed themselves, unopposed, of all the arts Hypocrisy could devise; and the event has been, what in all such cases it ever will and ought to be, *the ruin of themselves.*

The Characters of the late and of the present Administrations are now sufficiently marked, and the adherents of each keep up the distinction. The former Administration rendered itself notorious by outrage, coxcombical parade, false alarms, a continued increase of taxes, and an unceasing clamor for War; and as every vice has a virtue opposed to it, the present Administration moves on the direct contrary line. The question, therefore, at elections is not properly a question upon Persons, but upon principles. Those who are for Peace, moderate taxes, and mild Government, will vote for the Administration that conducts itself by those principles, in whatever hands that Administration may be.

There are in the United States, and particularly in the middle States, several religious Sects, whose leading moral principle is PEACE. It is, therefore, impossible that such Persons, consistently with the dictates of that principle, can vote for an Administration that is clamorous for War. When moral principles, rather than Persons, are candidates for Power, to vote is to perform a moral duty, and not to vote is to neglect a duty.

That persons who are hunting after places, offices, and contracts, should be advocates for War, taxes, and extravagance, is not to be wondered at; but that so large a portion of the People who had nothing to depend upon but their Industry, and no other public prospect but that of paying taxes, and bearing the burden, should be advocates for the same measures, is a thoughtlessness not easily accounted for. But reason is recovering her empire, and the fog of delusion is clearing away.

THOMAS PAINE.

BORDENTOWN, ON THE DELAWARE,
NEW JERSEY, April 21, 1803.[1]

[1] Endorsed: "Sent by Gen. Bloomfield per Mr. Wilson for Mr. Duane.' And, in a later hand: "Paine Letter 6. Found among the Bartram Papers sent by Col. Carr."—*Editor.*

XXXIV.

TO THE FRENCH INHABITANTS OF LOUISIANA.[1]

A PUBLICATION having the appearance of a memorial and remonstrance, to be presented to Congress at the ensuing session, has appeared in several papers. It is therefore open to examination, and I offer you my remarks upon it. The title and introductory paragraph are as follows:

"*To the Congress of the United States, in the Senate and House of Representatives convened:* We the subscribers, planters, merchants, and other inhabitants of Louisiana, respectfully approach the legislature of the United States with a memorial of *our rights*, a remonstrance against certain laws which contravene them, and a petition for that redress to which the laws of nature, sanctioned by positive stipulations, have entitled us."

It often happens that when one party, or one that thinks itself a party, talks much about its rights, it puts those of the other party upon examining into their own, and such is the effect produced by your memorial.

A single reading of that memorial will show it is the work of some person who is not of your people. His acquaintance with the cause, commencement, progress, and termination of the American revolution, decides this point; and his making

[1] In a letter to Albert Gallatin, Secretary of the Treasury (Oct. 14, 1804), John Randolph of Roanoke proposed "the printing of — thousand copies of Tom Paine's answer to their remonstrance, and transmitting them by as many thousand troops, who can speak a language perfectly intelligible to the people of Louisiana, whatever that of their government may be." The purchase of Louisiana was announced to the Senate by President Jefferson, October 17, 1803.—*Editor.*

our merits in that revolution the ground of *your* claims, as if *our* merits could become *yours*, show she does not understand *your* situation.

We obtained our rights by calmly understanding principles, and by the successful event of a long, obstinate, and expensive war. But it is not incumbent on us to fight the battles of the world for the world's profit. You are already participating, without any merit or expense in obtaining it, the blessings of freedom acquired by ourselves; and in proportion as you become initiated into the principles and practice of the representative system of government, of which you have yet had no experience, you will participate more, and finally be partakers of the whole. You see what mischief ensued in France by the possession of power before they understood principles. They earned liberty in words, but not in fact. The writer of this was in France through the whole of the revolution, and knows the truth of what he speaks; for after endeavouring to give it principle, he had nearly fallen a victim to its rage.

There is a great want of judgment in the person who drew up your memorial. He has mistaken *your* case, and forgotten his *own;* and by trying to court your applause has injured your pretensions. He has written like a lawyer, straining every point that would please his client, without studying his advantage. I find no fault with the composition of the memorial, for it is well written; nor with the principles of liberty it contains, considered in the abstract. The error lies in the misapplication of them, and in assuming a ground they have not a right to stand upon. Instead of their serving you as a ground of reclamation against us, they change into a satire on yourselves. Why did you not speak thus when you ought to have spoken it? We fought for liberty when you stood quiet in slavery.

The author of the memorial injudiciously confounding two distinct cases together, has spoken as if he was the memorialist of a body of Americans, who, after sharing equally with us in all the dangers and hardships of the revolutionary war, had retired to a distance and made a settlement for

themselves. If, in such a situation, Congress had established a temporary government over them, in which they were not personally consulted, they would have had a right to speak as the memorial speaks. But your situation is different from what the situation of such persons would be, and therefore *their* ground of reclamation cannot *of right* become yours. You are arriving at freedom by the easiest means that any people ever enjoyed it; without contest, without expense, and even without any contrivance of your own. And you already so far mistake principles, that under the name of *rights* you ask for *powers; power* to *import and enslave Africans;* and *to govern* a territory that *we* have *purchased.*

To give colour to your memorial, you refer to the treaty of cession, (in which *you were not* one of the contracting parties,) concluded at Paris between the governments of the United States and France.

"The third article" you say "of the treaty lately concluded at Paris declares, that the inhabitants of the ceded territory shall be incorporated in the union of the United States, and admitted *as soon as possible, according* to the *principles* of the Federal Constitution, to the enjoyment of all the rights, advantages, and immunities of citizens of the United States; and *in the mean time,* they shall be protected in the enjoyment of their liberty, property, and the exercise of the religion they profess."

As from your former condition, you cannot be much acquainted with diplomatic policy, and I am convinced that even the gentleman who drew up the memorial is not, I will explain to you the grounds of this article. It may prevent your running into further errors.

The territory of Louisiana had been so often ceded to different European powers, that it became a necessary article on the part of France, and for the security of Spain, the ally of France, and which accorded perfectly with our own principles and intentions, that it should be *ceded no more;* and this article, stipulating for the incorporation of Louisiana into the union of the United States, stands as a bar against all future cession, and at the same time, as well as

"*in the mean time*," secures to you a civil and political permanency, personal security and liberty which you never enjoyed before.

France and Spain might suspect, (and the suspicion would not have been ill-founded had the cession been treated for in the administration of John Adams, or when Washington was president, and Alexander Hamilton president over him,) that we *bought* Louisiana for the British government, or with a view of selling it to her; and though such suspicion had no just ground to stand upon with respect to our present president, Thomas Jefferson, who is not only not a man of intrigue but who possesses that honest pride of principle that cannot be intrigued with, and which keeps intriguers at a distance, the article was nevertheless necessary as a precaution against future contingencies. But you, from not knowing the political ground of the article, apply to yourselves *personally* and *exclusively*, what had reference to the *territory*, to prevent its falling into the hands of any foreign power that might endanger the [establishment of] *Spanish* dominion in America, or those of the *French* in the West India Islands.

You claim, (you say), to be incorporated into the union of the United States, and your remonstrances on this subject are unjust and without cause.

You are already *incorporated* into it as fully and effectually as the Americans themselves are, who are settled in Louisiana. You enjoy the same rights, privileges, advantages, and immunities, which they enjoy; and when Louisiana, or some part of it, shall be erected into a constitutional State, you also will be citizens equal with them.

You speak in your memorial, as if *you* were the *only* people who were to live in Louisiana, and as if the territory was purchased that *you* exclusively might govern it. In both these cases you are greatly mistaken. The emigrations from the United States into the purchased territory, and the population arising therefrom, will, in a few years, exceed you in numbers. It is but twenty-six years since Kentucky began to be settled, and it already contains more than *double* your population.

In a candid view of the case, you ask for what would be injurious to yourselves to receive, and unjust in us to grant. *Injurious*, because the settlement of Louisiana will go on much faster under the government and guardianship of Congress, then if the government of it were committed to *your* hands; and consequently, the landed property you possessed as individuals when the treaty was concluded, or have purchased since, will increase so much faster in value.—*Unjust to ourselves*, because as the reimbursements of the purchase money must come out of the sale of the lands to new settlers, the government of it cannot suddenly go out of the hands of Congress. They are guardians of that property for *all the people of the United States*. And besides this, as the new settlers will be chiefly from the United States, it would be unjust and ill policy to put them and their property under the jurisdiction of a people whose freedom they had contributed to purchase. You ought also to recollect, that the French Revolution has not exhibited to the world that grand display of principles and rights, that would induce settlers from other countries to put themselves under a French jurisdiction in Louisiana. Beware of intriguers who may push you on from private motives of their own.

You complain of two cases, one of which you have *no right*, no concern with; and the other is founded in direct injustice.

You complain that Congress has passed a law to divide the country into two territories. It is not improper to inform you, that after the revolutionary war ended, Congress divided the territory acquired by that war into ten territories; each of which was to be erected into a constitutional State, when it arrived at a certain population mentioned in the Act; and, in the mean time, an officer appointed by the President, as the Governor of Louisiana now is, presided, as Governor of the Western Territory, over all such parts as have not arrived at the maturity of *statehood*. Louisiana will require to be divided into twelve States or more; but this is a matter that belongs to the *purchaser* of the territory of Louisiana, and with which the inhabitants of the town of

New-Orleans have no right to interfere; and beside this, it is probable that the inhabitants of the other territory would choose to be independent of New-Orleans. They might apprehend, that on some speculating pretence, their produce might be put in requisition, and a maximum price put on it —a thing not uncommon in a French government. As a general rule, without refining upon sentiment, one may put confidence in the justice of those who have no inducement to do us injustice; and this is the case Congress stands in with respect to both territories, and to all other divisions that may be laid out, and to all inhabitants and settlers, of whatever nation they may be.

There can be no such thing as what the memorial speaks of, that is, *of a Governor appointed by the President who may have no interest in the welfare of Louisiana.* He must, from the nature of the case, have more interest in it than any other person can have. He is entrusted with the care of an extensive tract of country, now the property of the United States by purchase. The value of those lands will depend on the increasing prosperity of Louisiana, its agriculture, commerce, and population. You have only a local and partial interest in the town of New-Orleans, or its vicinity; and if, in consequence of exploring the country, new seats of commerce should offer, his general interest would lead him to open them, and your partial interest to shut them up.

There is probably some justice in your remark, as it applies to the governments under which you *formerly* lived. Such governments always look with jealousy, and an apprehension of revolt, on colonies increasing in prosperity and population, and they send governors to *keep them down.* But when you argue from the conduct of governments *distant* and *despotic*, to that of *domestic* and *free* government, it shows you do not understand the principles and interest of a Republic, and to put you right is friendship. We have had experience, and you have not.

The other case to which I alluded, as being founded in direct injustice, is that in which you petition for *power*, under the name of *rights*, to import and enslave Africans!

Dare you put up a petition to Heaven for such a power, without fearing to be struck from the earth by its justice?

Why, then, do you ask it of man against man?

Do you want to renew in Louisiana the horrors of Domingo?

COMMON SENSE.

Sept. 22, 1804.

END OF VOLUME III.

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